

**EXECUTIVE SESSIONS OF THE SENATE  
PERMANENT SUBCOMMITTEE ON  
INVESTIGATIONS OF THE COMMITTEE  
ON GOVERNMENT OPERATIONS**

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FIRST SESSION

**1953**



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<sup>1</sup>The Democratic members were absent from the subcommittee from July 10, 1953 to January 25, 1954.



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## STATE DEPARTMENT INFORMATION PROGRAM—INFORMATION CENTERS

[EDITOR'S NOTE.—The United States Information Service initially established a "balanced presentation" policy under which books by controversial authors, including Communists, would be stocked by its overseas libraries to reflect the diversity of opinion in the United States and to preserve the intellectual credibility of the collections. In 1952, the Truman administration judged several books by the novelist Howard Fast to be Communist propaganda and removed them from the shelves although his other works remained. In January 1953, the Eisenhower administration upheld the policy of balanced collections but set criteria for defining books that might be excluded.

Between March and July 1953, the Permanent Subcommittee on Investigations held extensive hearings, in both executive and public session, that focused on the U.S. Information Libraries worldwide. It examined the books that the libraries stocked, and called some of the authors—including Howard Fast—to testify. During the course of the investigation, chief counsel Roy Cohn, and chief consultant David Schine, embarked on a highly-publicized tour of the overseas libraries in major European capitals, from April 4 to 21. Simultaneously, the State Department ordered the removal of any books by Communist authors or Communist sympathizers from the Information Libraries' shelves. Hundreds of works of fiction and non-fiction were discarded, and some were burned. In his commencement address at Dartmouth College on June 13, President Eisenhower told the students: "Don't join the book burners. Don't think you are going to conceal faults by concealing evidence that they ever existed. Don't be afraid to go in your library and read every book as long as any document does not offend our own ideas of decency. That should be the only censorship."

Mary M. Kaufman did not testify in public. Sol Auerbach (who wrote as James S. Allen) and William Marx Mandel appeared before the subcommittee in a televised public hearing on the following day. During the open session, the chairman ordered Mandel to identify publicly his current employer, information that the witness had provided in executive session with the request that it be kept confidential. Mandel complained that the subcommittee had "arrogated itself the right to exact punishment, although it is not a court of law and deprives one of due process of law. That punishment has ranged from fines ranging from several thousand dollars in the case of people dismissed up to the fact that you, Senator McCarthy, murdered Raymond Kaplan by forcing him, driving him to the point where he jumped under a truck. . . ."]

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**MONDAY, MARCH 23, 1953**

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 3:00 p.m. in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Present also: Claude I. Bakewell, former representative from Missouri; Roy Cohn, chief counsel; Ruth Young Watt, chief clerk.

Mr. COHN. Senator, this is William Z. Foster's attorney Mrs. Kaufman.

Do you have any objection to being sworn, Mrs. Kaufman?

**STATEMENT OF MARY M. KAUFMAN, ATTORNEY FOR WILLIAM Z. FOSTER**

Mrs. KAUFMAN. I don't see the necessity to be sworn simply to explain why he isn't here. The facts I state are matters of public record.

Senator MCCLELLAN. I suggest this, Mr. Chairman. If this is to be testimony, I think she should be sworn. If you are willing to accept just a report from her as to why he is not here, I should think that would be acceptable without her being sworn.

The CHAIRMAN. What are you prepared to present to us?

Mrs. KAUFMAN. I simply wanted to advise the committee that Mr. Foster is presently confined to the southern district of New York under the terms of his bail, and because of that is unable to appear. Now, that is a matter of public record. When I reminded Mr. Cohn of the fact, he remembered that that was so.

In addition, I wanted to advise the committee that Mr. Foster's health is such as not to permit him to appear before this committee, and I have a statement from his physician to that effect. The conclusion of the statement states that "any sudden strain or emotional excitation may provoke easily a fatal cerebral or cardiac incident." And under these circumstances, I would request that he be excused.

The CHAIRMAN. May I ask counsel, number one: I assume the first reason stated could be easily waived by the court.

Mr. COHN. No doubt about it.

The CHAIRMAN. How about number two, the question of illness?

Mr. COHN. That has been raised by Mr. Foster for some time, I believe, since his original indictment in the summer of 1948. He was granted a severance. There was a reexamination at my request when I was in the Department of Justice a few months ago. I am not aware that that motion was ever decided. Was it?

Mrs. KAUFMAN. I don't believe the government took any action.

Mr. COHN. Well, we did. We made a motion for another physical examination, and I don't know whether there was ever a ruling on whether he was well enough to stand trial.

Senator MCCLELLAN. The first issue raised determines. You do not have to pass upon the other.

Mr. COHN. Well, we can get that waived.

Senator MCCLELLAN. I understand, but for the moment that would settle it.

The CHAIRMAN. He is definitely not in contempt for not appearing today.

Well, my thought is that he is not sufficiently important a witness for the hearing that we should go to the trouble of finding out whether he is in proper shape to appear or not. I think the court is going to determine that in connection with his criminal trial.

Mr. COHN. I was going to suggest this: Could we get from Mr. Foster an affidavit answering the questions we want to put to him?

The CHAIRMAN. I think that might be a good idea. There is no reason why he could not answer questions under oath.

Mrs. KAUFMAN. I don't know. I would have to consult with him in order to find out what he can or can not do.

The CHAIRMAN. You are a notary public yourself, are you?

Mrs. KAUFMAN. No, I am not.

The CHAIRMAN. Let us leave it this way, then. Counsel can prepare the interrogatories and submit them to the attorney, with the orders that Mr. Foster answer them, unless counsel can produce anything to indicate that that would adversely affect his health. If no, we will go into that.

Senator MCCLELLAN. I suggest, Mr. Chairman, that the statement she brought from Mr. Foster and also from his physician be filed.

Mrs. KAUFMAN. Yes, I would like to place that in the record, if I may.

Senator MCCLELLAN. That does not have to go in the record.

The CHAIRMAN. Those are merely accepted as exhibits.

[A memorandum dated March 21, 1953, signed by Louis V. Finger, M.D., 1056 Fifth Avenue, New York 28, New York, was marked Kaufman Exhibit 1 and filed for the information of the committee.]

The CHAIRMAN. I want to thank you very much. And counsel will prepare interrogatories to be submitted to Mr. Foster, to be sent to you, and we will want you to have him answer those and have him swear to them before a notary, unless you can produce a doctor's certificate offering something that will prove that that will adversely affect his health. We do not want to kill off any of the witnesses.

Mrs. KAUFMAN. I am sure of that, Senator.

The CHAIRMAN. I want to thank you very much.

Mrs. KAUFMAN. I am not in any position to state Mr. Foster's agreement as to the interrogatories, but nevertheless we can wait until we receive them to determine what action we will take.

The CHAIRMAN. It will be the order, as I say, that unless you can produce some medical proof, either a doctor's affidavit or whatever occurs to you to convince the committee that that will adversely affect his health, the answers to the interrogatories will be provided.

Senator SYMINGTON. I would suggest that you suggest to Mr. Foster that he try and answer the interrogatories to the best of his ability.

Mrs. KAUFMAN. Will you note my address? I don't think you took it. It is 43 West 94th Street.

The CHAIRMAN. Mr. Allen, will you stand and raise your right hand? Will you stand, sir?

In this matter now in hearing, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. AUERBACH. I do.

The CHAIRMAN. Will you identify your counsel?

**TESTIMONY OF SOL AUERBACH (JAMES S. ALLEN)  
(ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER)**

Mr. AUERBACH. My counsel is Mr. Joe Forer of Washington.

Mr. COHN. Is that F-o-r-e-r?

Mr. AUERBACH. F-o-r-e-r.

The CHAIRMAN. Mr. Allen, under the rules of the subcommittee, you are entitled to have a conference with your lawyer at any time you care to. If something comes up which you think is of such a nature that you want to have a place to discuss the matter with him confidentially, we will arrange either another room or some place where you can get some privacy. We do not allow the attorney to take part in the proceedings, other than to advise you. If the attorney thinks that a question is objectionable, he is free to tell you that, and fully advise you at any time during the proceedings.

Mr. COHN. Give us your full name, please, Mr. Allen.

Mr. AUERBACH. My name is Sol Auerbach, A-u-e-r-b-a-c-h.

Mr. COHN. And you write under the name of James S. Allen; is that right?

Mr. AUERBACH. That is right.

Mr. COHN. What is your address?

Mr. AUERBACH. 134 East Hudson Street, Long Beach, New York.

Mr. COHN. What do you want to be called, Mr. Auerbach or Mr. Allen?

Mr. AUERBACH. Either way.

Mr. COHN. Where are you employed?

Mr. AUERBACH. I refuse to answer that, on the basis of my constitutional privilege.

Senator SYMINGTON. You refuse to answer where you are employed on that basis?

Mr. AUERBACH. Yes, sir.

Mr. COHN. You are employed, are you not, Mr. Allen, at International Publishers, the official publishing house of the Communist party?

Mr. AUERBACH. I refuse to answer that question on the same ground.

The CHAIRMAN. You refuse to answer on the grounds that your answer might incriminate you?

Mr. AUERBACH. That is the reason, as it may be put. I prefer to say—

Senator McCLELLAN. How do you put it?

Mr. AUERBACH. I would say that I have a constitutional privilege under the Fifth Amendment not to bear witness against myself and not to be a witness against myself.

The CHAIRMAN. You have that privilege, as long as you honestly believe that if you truthfully answered a question it might tend to incriminate you. You do not have that privilege if you would incriminate yourself by perjury, you understand. It is only if you tell the committee that you honestly feel that a truthful answer might tend to incriminate you. Then you have the right to refuse to answer. You understand that?

Mr. AUERBACH. I think I understand that.

Mr. COHN. Now, Mr. Allen, let me ask you this: Where was the subpoena served on you? Just the street address?

Mr. AUERBACH. At Fourth Avenue.

Mr. COHN. 381 Fourth Avenue?

Mr. AUERBACH. That is right.

Mr. COHN. Is that the headquarters of the Communist party of the United States?

Mr. AUERBACH. It is not the headquarters of the Communist party of the United States.

Mr. COHN. I didn't get that.

Mr. AUERBACH. It is not the headquarters of the Communist party of the United States.

Mr. COHN. I see. Is that the building in which are located offices or organizations officially connected with the Communist party of the United States?

Mr. AUERBACH. I think I will refuse to answer that question on the same grounds previously stated.

Mr. COHN. Where are the headquarters of the Communist party located?

Mr. AUERBACH. I really don't know.

Mr. COHN. They moved recently, did they not? You might have read that in the public press if you do not know it some other way.

Mr. AUERBACH. That is more or less public knowledge, I think.

Mr. COHN. Mr. Allen, let me ask you this: Has the Communist party gone underground recently? Is the location of the present headquarters of the Communist party secret, as far as you know?

Mr. AUERBACH. As far as I know, it is no secret.

Mr. COHN. And you say you can't tell us where it is?

Mr. AUERBACH. I just don't happen to know where it is.

Mr. COHN. Have you visited the Communist party headquarters recently?

Mr. AUERBACH. I have not.

Mr. COHN. Did you ever visit Communist party headquarters?

Mr. AUERBACH. I will refrain from answering that, on the same ground as previously stated.

Mr. COHN. Are you the author of a book called *World Monopoly and Peace*?<sup>1</sup>

Mr. AUERBACH. I am.

Mr. COHN. And you are the James S. Allen who wrote that book?

Mr. AUERBACH. Yes, that is a copy of the book.

Mr. COHN. You say it is a copy.

Mr. AUERBACH. It is.

Mr. COHN. Now, I notice that that book is published by International Publishers. Is that the official publishing house of the Communist party?

Mr. AUERBACH. I refuse to answer that question on the same grounds.

Mr. COHN. When you wrote that book, Mr. Allen, were you a member of the Communist party?

Mr. AUERBACH. I refuse to answer that question, on the same grounds as previously stated.

Mr. COHN. When did you write that book?

Mr. AUERBACH. I wrote that book in '45, I believe, 1945.

Mr. COHN. At the time you wrote that book, did you favor the Soviet Union against the United States of America?

Mr. AUERBACH. I have always favored the United States of America.

<sup>1</sup>James S. Allen, *World Monopoly and Peace* (New York: International Publishers, 1946).

Mr. COHN. If the United States of America were at war with the Soviet Union, would you fight for the United States against the Soviet Union?

Mr. AUERBACH. If we were the victim of aggression, I would.

Mr. COHN. I didn't ask you the circumstances. I said: If the United States declared a state of war against the Soviet Union, would you, as an American citizen, fight against the Soviet Union?

Mr. AUERBACH. I would say that would depend on the circumstances of the war.

Mr. COHN. I am not asking about the circumstances of the war. I asked for a categorical answer. If the Congress of the United States declared war against the Soviet Union—

Senator JACKSON [continuing]. As provided for by the Constitution.

Mr. COHN [continuing]. Would you fight for the United States?

Mr. AUERBACH. I have been in the American army and fought in a war.

Mr. COHN. You didn't understand my question. If the Congress of the United States declared war against the Soviet Union, would you fight for the United States? "Yes" or "no"?

Mr. AUERBACH. I cannot conceive of such a war.

Senator SYMINGTON. Mr. Chairman, I think the witness is getting very close to contempt of the committee.

Mr. AUERBACH. May I consult with my attorney?

[Mr. Auerbach confers with Mr. Forer.]

Mr. AUERBACH. Well, I think I have answered the question.

The CHAIRMAN. I do not think you have answered.

Mr. AUERBACH. May I repeat my answer?

Mr. COHN. Why don't I repeat the question? It will make it simpler. The question is this: If the Congress of the United States, for any reason, as provided by the Constitution, were to declare war against the Soviet Union, would you fight against the Soviet Union?

Mr. AUERBACH. Well, I answered that.

Mr. COHN. Can we have a "yes" or "no" answer? That is a very simple question.

Mr. AUERBACH. I can't answer yes or no, because it would depend on the circumstances of the war. There is not every war that one would support.

Mr. COHN. You mean as an American citizen you can conceive of a war declared by the official representatives of the Congress of the United States pursuant to the Constitution which you would not support?

Mr. AUERBACH. Which I may think to be an unjust war, not worthy of the support of a patriotic American. And I think I would have the privilege to be opposed to that war.

The CHAIRMAN. Are there some circumstances under which you would join the military forces and fight against the Soviet Union if war were declared?

Mr. AUERBACH. I think if we were the victim of aggression by the Soviet Union or any other power, I would fight for the defense of the United States.

Senator SYMINGTON. If the war, in your opinion, were unjustified on the part of the United States, would you accept money to be a

spy for a foreign country that was fighting against the United States?

Mr. AUERBACH. I would not.

Senator SYMINGTON. Would you be a spy, without money?

Mr. AUERBACH. I would not.

Mr. COHN. Have you ever engaged in espionage against the United States?

Mr. AUERBACH. I certainly have not.

Mr. COHN. Have you ever been a representative of the Communist International?

Mr. AUERBACH. I must refuse to answer that question on the same grounds as previously stated.

Mr. COHN. Did you go to the Philippines for the Communist International in 1939?

Mr. AUERBACH. I must refuse to answer the question, on the same grounds.

Mr. COHN. Did you take a trip to the Philippines in 1939?

Mr. AUERBACH. I refuse to answer, on the same grounds.

Mr. COHN. Did you take a trip financed by the Communist party?

Mr. AUERBACH. I must refuse to answer, on the same grounds.

Mr. COHN. Did you take a trip to Mexico in the interest of the Communist International?

Mr. AUERBACH. My answer is the same.

Mr. COHN. Was that trip financed by the Communist party?

Mr. AUERBACH. My answer remains the same.

Mr. COHN. Were you foreign editor of the *Daily Worker*?

Mr. AUERBACH. I can't answer that question, on the same grounds.

Mr. COHN. Are you at this time a member of the Communist party?

Mr. AUERBACH. I do not answer that question, on the same ground as previously stated.

Senator SYMINGTON. If you are a member of the Communist party, why are you ashamed or afraid to say so?

Mr. AUERBACH. Because the purpose of the question is quite different. I am not saying that I am or am not a member. I am not saying I am or am not a member of the Communist party.

Senator JACKSON. Are you saying you never were a member of the Communist party?

Mr. AUERBACH. I am refusing to answer that question, on the ground—

Senator SYMINGTON. My point is that all we are trying to do is clarify who is for or against the United States. It would have been possible for you to be a member of the Communist party and then to have felt that was wrong and to have resigned. What the counsel asked was: Are you a member now? And you have refused to answer, which, of course makes us believe that you are a member of the Communist party.

Mr. AUERBACH. You have no ground for believing that, on the basis of my answer.

Senator SYMINGTON. Then why are you afraid or ashamed to answer the question?

Mr. AUERBACH. I am not afraid or ashamed.

Senator SYMINGTON. Then why do you not answer it?

Mr. AUERBACH. I think it violates my constitutional right under the Fifth Amendment.

Senator SYMINGTON. Why do you want to take refuge behind your constitutional rights unless you are ashamed or afraid of admitting membership?

Mr. AUERBACH. Because the purpose of these questions is something quite different.

Senator JACKSON. What purpose could this committee have but to properly obtain information with reference to your activities? You are not incriminating yourself if you say you are a member of the Communist party. There is nothing that I know of on the statute books that says that a member of the Communist party, per se, is in violation of the law. It is only if you conspire, together with others, to overthrow the government by force and violence. You could be a member of the Communist party, if I understand the laws of this country correctly, and testify here under oath and say you are a member, but that you do not agree to overthrow of the government by force and violence, and you would not incriminate yourself.

The CHAIRMAN. I may say, Senator Jackson, that as I understand the law, merely being a member of the Communist party does not make you guilty of a crime unless it can be shown that you are aware of the objectives of the Communist party.

Senator JACKSON. And that you acquiesce in those objectives.

Mr. COHN. I don't think it is acquiescence; it is knowledge.

Senator JACKSON. Well, you would have to know about them.

The CHAIRMAN. And remaining a member after you know the objectives.

So that he does have the right, I think, without any doubt.

Senator JACKSON. I agree that he has the right.

Senator SYMINGTON. I agree that he has the right, but I do not see why, if he is a member of the Communist party, he is ashamed or afraid of admitting it.

Senator JACKSON. Shall we get an answer to the original question, about bearing arms?

Mr. COHN. We never have had a categorical answer to that.

The CHAIRMAN. I think maybe he has answered that. He says he would himself decide what terms and conditions under which he would serve in the military forces, and while we may disagree with the answer, I think he has perhaps answered it. He says he can't answer it "yes" or "no."

Senator McCLELLAN. May I ask a question?

Do you believe in the overthrow of the United States government by force and violence?

Mr. AUERBACH. I do not.

Senator McCLELLAN. Do you belong to any organization, political or otherwise, that advocates the overthrow of the government of the United States by force and violence?

Mr. AUERBACH. I do not. In my opinion, I do not belong to any such organization.

Senator McCLELLAN. In your opinion, you do not. Is that what you said?

Mr. AUERBACH. Yes.

Senator McCLELLAN. I am trying to understand it. Do you know that the Communist party does favor the overthrow of the United States government by violence?

Mr. AUERBACH. There seems to be quite a lot of difference on that question, sir.

Senator McCLELLAN. Do you know that it does?

Mr. AUERBACH. No. In my opinion they do not.

Senator JACKSON. You are familiar with the Supreme Court decision?

Mr. AUERBACH. I am.

Senator JACKSON. The last one, the Dennis case, in which the court so found?

Mr. AUERBACH. Nevertheless, there is a great deal of public opinion that does not agree with that, sir.

Senator McCLELLAN. Is it your opinion that the Communist party does not advocate the overthrow of the government of the United States by force and violence?

Mr. AUERBACH. That is my opinion, sir.

Senator McCLELLAN. You state that under oath?

Mr. AUERBACH. I state that under oath.

Senator McCLELLAN. On the contrary, do you not know, when I ask you to state that under oath, that it does advocate the overthrow of the United States government by force and violence? Do you not know it?

Mr. AUERBACH. I think I answered your question, Senator.

Senator McCLELLAN. I do not think you did.

Mr. AUERBACH. I gave you my opinion.

Senator McCLELLAN. You gave me your opinion. I ask you now if you do not know it. Not an opinion, but do you not know it?

Mr. AUERBACH. I believe that they do not stand for violent overthrow of the government by force and violence.

Senator McCLELLAN. Then you mean to state by that answer that you do not know it?

Mr. AUERBACH. That is not what I said, sir.

Senator McCLELLAN. Well, do you say you do know it, or do not know it?

Mr. AUERBACH. According to my knowledge, they do not stand for the violent overthrow of the government.

Senator McCLELLAN. Then, according to your knowledge, they do not. Then you mean you do not know it. Is that what you are saying? I know it has got you a little worried, but I am asking you: Do you know it?

Mr. AUERBACH. I am not worried, Senator. I am trying to understand your question.

Senator McCLELLAN. You do understand it. I asked you: Do you not know it? And you said you "believe." I am asking you, contrary to what you say you believe, if you do not know it as a matter of fact that you have personal knowledge of.

[Mr. Auerbach confers with Mr. Forer.]

Mr. AUERBACH. I do not know it.

Senator McCLELLAN. All right. You say you do not know it.

Mr. AUERBACH. I do not.

Senator JACKSON. And do you know whether in the past the Communist party has advocated the overthrow of the government by force and violence?

Mr. AUERBACH. I do not believe it has.

Senator JACKSON. That is your opinion?

Mr. AUERBACH. That is my opinion.

Senator JACKSON. And that is what you believe?

Mr. AUERBACH. That is what I believe.

Senator SYMINGTON. Mr. Allen, I am interested in this. Do you believe that the Communist party is run from Moscow?

Mr. AUERBACH. My belief is that it is not run from Moscow.

Senator SYMINGTON. Do you believe the Communist party in this country runs itself? Or is it run from Moscow?

Mr. AUERBACH. I believe it runs itself.

Senator SYMINGTON. It runs itself, without any control from Moscow?

Mr. AUERBACH. I believe there is no control from Moscow.

Senator SYMINGTON. Do you believe in the anti-Semitic purges that have recently developed in the countries behind the Iron Curtain? Do you approve of that?

Mr. AUERBACH. I don't believe there are anti-Semitic purges.

Senator SYMINGTON. You do not believe there are anti-Semitic purges?

Mr. AUERBACH. No.

Senator SYMINGTON. You think that is just propaganda on the part of the capitalistic press?

Mr. AUERBACH. I think that it is misinformation about the situation, combined with propaganda, which is quite appropriate to the cold war from the viewpoint of those who would like to wage that war.

Senator SYMINGTON. So if I follow you, you believe that these reports about anti-Semitism in the Soviet Union and its satellites are incorrect. Is that right?

Mr. AUERBACH. I believe they are absolutely incorrect.

Senator McCLELLAN. You said, now, that you do not believe that the Communist party in the United States is run by Moscow or controlled from Russia. Now I want to ask you the question. Do you not know that it is?

Mr. AUERBACH. I do not know.

Senator JACKSON. In your opinion, is the Communist party in the United States under any orders from outside the United States?

Mr. AUERBACH. In my opinion, it is under no orders.

Senator JACKSON. Has it been in the past?

Mr. AUERBACH. I do not believe it has.

Senator JACKSON. Has Jacques Duclos ever had any influence on operations of the Communist party of the United States.

Mr. AUERBACH. As far as I know, he has had no direct influence over it. I would like to make it clear that I am no authority on the question.

Senator JACKSON. Was Browder removed by totally an American action, or was he removed by reason of action taken by the Cominform in 1945? Can you answer the question?

Mr. AUERBACH. I think that action was taken here.

Senator JACKSON. Did the Cominform or other similar apparatus of the International Communist Organization have anything to do with action taken here?

Mr. AUERBACH. Mr. Chairman, may I make a comment at this point?

The CHAIRMAN. Certainly.

Mr. AUERBACH. I am not clear what this committee is after. I know that this is a subcommittee for the investigation of government operations, and I assumed that when I received the subpoena it was in connection with such investigations.

The CHAIRMAN. You are entitled to inquire the purpose of the question. I will inform you of the purpose.

We are presently investigating the background of some of the individuals who have been doing work for the Voice of America information program. We find that your works have been used. We appropriate, oh, a huge amount of money. I think the budget this year calls for \$100-million some-odd to fight communism throughout the world. So we are curious to know what Communist authors or members of the Communist party are being utilized in this fight, and the purpose of their being used. We must inquire into your background therefor.

Senator JACKSON. We want to inquire into the operation of the Communist party, your knowledge of it, here and abroad as it affects the program.

The CHAIRMAN. That is correct.

Senator JACKSON. Now, did you answer the question I put to you a moment ago?

Mr. AUERBACH. Well, I would like to make it clear that my answer to any of these questions is merely the opinion of an individual, and that for expert knowledge on the matter you would have to seek somewhere else.

Senator JACKSON. I understand you to say under oath that you have no knowledge of the workings of the Communist party?

Mr. AUERBACH. I did not say that.

Senator JACKSON. Well, can you answer that question?

Mr. AUERBACH. I claim my privilege under the Fifth Amendment.

Senator SYMINGTON. Will you yield a minute there?

Senator JACKSON. Yes.

Senator SYMINGTON. You appear questioning, or irritated or resentful, at the questions that are asked you, and you want to make a statement. I feel irritated, questioning, and resentful to any American citizen who is asked up here questions with respect to the Communist party and either is ashamed or so afraid or so arrogant with respect to the right of the Congress that he does not answer those questions, does not want to answer them, on the grounds that it might violate his rights under the Fifth Amendment. I want to make very clear to you my position with respect to your testimony. And I do not think anybody is more anxious to have civil rights and civil liberties perpetuated under our system.

Mr. AUERBACH. Senator, may I comment on what you say?

Senator SYMINGTON. You certainly can.

Mr. AUERBACH. I am not disrespectful of the Congress of the United States. I have no feeling of arrogance, in my attitude. In my opinion it seems quite clear that anticommunism has served as a

cover for a struggle against and a suppression of civil liberties. That is my position. And therefore I don't want in any way to further such aims. Anticommunism has historically served that purpose abroad. It served it in Germany. It served it in Italy. It served it in Japan. And it is serving it here.

Senator JACKSON. And communism in Russia serves to promote civil liberties?

Mr. AUERBACH. I think they have aims of their own that are quite apart from the aims of—

The CHAIRMAN. The question was: Do you think that the Communists are promoting the cause of civil liberties?

Mr. AUERBACH. I think they are. I think there are liberties in the Soviet Union which we don't enjoy here.

Senator JACKSON. Can you say what right—I am not talking now about what may be in some document—what right a citizen has in the Soviet Union to a trial by jury?

Mr. AUERBACH. He has quite a number of rights of trial that would be surprising to many Americans. There are courts, from the lowest branches of the judiciary to the very highest where a citizen has an opportunity to be heard by a jury of his peers and by judges chosen by himself.

The CHAIRMAN. Do you think the judicial system in Communist Russia is superior to the judicial system in this country?

Mr. AUERBACH. I don't think it is a question of superior or not. A judicial system meets certain needs.

The CHAIRMAN. The question originally asked of you, Mr. Allen, was whether you felt that communism was serving the cause of promoting civil liberties, and then you went into the judicial system. My question now is: Do you think the judicial system in Russia is superior to that of this country in so far as the preservation of civil liberties is concerned?

Mr. AUERBACH. I think that they are very much concerned with the preservation of civil liberties in their judicial system as well as under the Constitution.

Senator JACKSON. Hitler made some announcements, too, that they were concerned about them, but they did not have them.

The CHAIRMAN. Would you fight, if you were called upon to fight, today, in the Korean War, on our side, if a draft board called you up?

Mr. AUERBACH. I am opposed to that war. I think it is an unjust war.

Senator McCLELLAN. On whose part is it unjust? On America's part? Or on that of Red China?

Mr. AUERBACH. Well, I believe that we had no business over there.

Senator McCLELLAN. Do you think that Red China has any business in there?

Mr. AUERBACH. I believe we were there before Red China was there.

Senator McCLELLAN. That is right. What is your position as to Red China? Do you think she is fighting an unjust war?

Mr. AUERBACH. I think Red China is probably concerned with her security. If we had a foreign power down in Mexico or in Cuba, we would be very much concerned about it.

Senator McCLELLAN. Is there any position you can take that would at all criticize or condemn communism in the Soviet Union? Is there one single criticism you have of it? Can you think of one?

Mr. AUERBACH. There might be various criticisms of something.

Senator McCLELLAN. There might be, and if you can think of them, I would like to have you put it on the record right now.

Mr. AUERBACH. You would very much like to see that, Senator.

Senator McCLELLAN. Yes, I would like to see it, if you have any criticism at all; if you are a good American, as you say, and have any criticism of it, I would like you to place it on the record.

Mr. AUERBACH. But my concern is this country, not the Soviet Union. I am an American citizen, born in the United States and interested in this country.

Senator McCLELLAN. That is your words. But I might say to you your actions do not conform to your words.

Mr. AUERBACH. You are entitled to your opinion, and I am entitled to mine.

The CHAIRMAN. I am going to order the witness to answer the question.

Mr. Allen, you were asked whether you could think of any criticism of communism. Your works were being used, you see, by the information program to fight communism. So if you have any criticism of communism, Mr. McClellan wants to know what that criticism is. You are ordered to answer that question. If you have no criticism, you can tell us.

Mr. AUERBACH. You say to be used by the information program?

The CHAIRMAN. You understand our government is paying for your works.

Mr. AUERBACH. I didn't know that.

The CHAIRMAN. Well, let me tell you they are. They are distributing your books for the purpose of fighting communism. Now, in view of the fact that your works are being used to fight communism, I think Senator McClellan's question is very pertinent. His question is: Can you think of any criticism which you have of communism? If so, tell us what it is.

Mr. AUERBACH. Well, I believe any criticism that I might have of communism as a system of society would pertain to the speed of its development and how effectively it meets the requirements of a socialist and a Communist society. That is, in other words, that it wouldn't fall within the framework of the questioning, the line of questioning, that is being developed here.

The CHAIRMAN. In other words, you have no criticism of the objectives of communism. You merely might criticize the speed with which they are arriving at the objectives?

Mr. AUERBACH. I am all for the objectives of socialism and communism, and I believe that is the form of society that we will come to, too.

Senator McCLELLAN. So you are an advocate of communism and you say this country is ultimately coming to communism. Is that correct? Is that not what you just said?

Mr. AUERBACH. That is my opinion as a student of history, that we will develop along that line.

Senator MCCLELLAN. That is what I want. That is your opinion. You favor the Communist objectives, and you believe they are coming to America. Is that your statement?

Mr. AUERBACH. I believe that when the majority of the American people want it, they will get it, and nothing will stop them.

Senator MCCLELLAN. That is not the question. The question was this: As I understood you, your answer was that you believe in the objectives of communism. Did you say that, or not?

Mr. AUERBACH. I believe that the objectives of Communist society are just and proper for the world as a whole, and we will eventually obtain them.

The CHAIRMAN. Then you would feel that one of your functions, as a loyal American, would be to promote the cause of communism?

Mr. AUERBACH. I don't believe that that is a problem we face at the moment, and I don't believe that it is a realistic objective to hold forth at the moment. If a time should arise that socialism, as a first stage of communism, should become the order of the day, then it will be up to the American people to decide that.

The CHAIRMAN. You apparently do not understand my question, or maybe you prefer not to answer it. You have told us that you favor the objectives of the Communist movement, and you think it is essentially just, et cetera. My question is then, this: Do you then feel, as a loyal American, that one of your tasks is to further the cause of communism, so that we may ultimately have a Communist society in the United States?

Mr. AUERBACH. I think it is my duty as a loyal American to support what I believe is best for the people. And at the present moment, what is best for the people is that we have peace, that we protect our democratic rights. Those are the immediate objectives that stare us in the face right now.

The CHAIRMAN. You understand, Mr. Allen, I am not trying to tell you what you should advocate. I am not trying to tell you that communism as you view it is right or wrong, that is, for the purposes of this examination I am not. You are entitled to think whatever you care to think. You are entitled to work for a socialistic state in this country, if you work for it without an attempt to overthrow this government by force and violence. I am merely trying to find out what you do advocate, you see.

Now, do I understand that your feeling is that the Communist state is superior to our capitalistic form of government?

Mr. AUERBACH. If I may, I would like to answer you as a student of history and not as a political worker or as one who is directing his answer to what is politically feasible at this particular moment. As a student of history, it seems to me that all of society will develop in that direction. Whatever form it might take in this country, I don't know. I don't think anybody could tell you what form it would take.

The CHAIRMAN. I am going to insist that you answer that question.

Mr. AUERBACH. That is my answer, sir.

The CHAIRMAN. Will you read the question, Mr. Reporter?

[The reporter read the pending question.]

Mr. AUERBACH. Yes. As I have explained, I think that a Communist state would be superior to a capitalist state.

The CHAIRMAN. Let me ask you this. Do you feel that communism as practiced in Russia today is superior to our form of government?

Mr. AUERBACH. I would say that communism as practiced in Russia today is superior to any previous form of government. Now, it may be that communism as it will be practiced here some time in the future may be superior to that.

Senator JACKSON. He has not answered the question.

The CHAIRMAN. I will insist that you answer the question.

Mr. AUERBACH. As a form of society, I think it is superior—I am answering your question directly, Senator—I think it is superior, because of the fact that exploitation is no longer there, that the society is not run for profit, and that it does open the way to a form of society where everyone can give according to his ability and receive according to his need.

Senator MCCLELLAN. Do you associate with that view an expression on slave labor camps in Russia?

Mr. AUERBACH. I believe that is the part of the cold war propaganda

Senator JACKSON. You do not believe it exists?

Mr. AUERBACH. I believe that they have penal camps, and that they have a form of prison reform which might include labor camps.

Senator JACKSON. Do you think the slave labor camps in the Soviet Union are examples relating to penal reform?

Mr. AUERBACH. From what I know, it seems to me that they are work camps where they attempt to rehabilitate prisoners, and so on.

Senator JACKSON. It is to rehabilitate them, to build them up, that these slave labor camps are maintained?

Mr. AUERBACH. According to my information on the subject.

The CHAIRMAN. Were you acquainted with Reed Harris?

Mr. AUERBACH. I don't know the name at all.

The CHAIRMAN. Pardon?

Mr. AUERBACH. Reed Harris? No. I don't know the name, sir.

The CHAIRMAN. Have you read the newspapers lately about Mr. Reed Harris, who was connected with the information program?

Mr. AUERBACH. No.

The CHAIRMAN. That name does not strike a bell?

Mr. AUERBACH. It doesn't strike any chord, no.

The CHAIRMAN. Do you recall that you ever addressed a meeting at which Reed Harris was one of the speakers, and Mr. Donald Henderson was the other speaker?

Mr. AUERBACH. I don't recall any such meeting.

Mr. COHN. November 25, 1932, involving a Professor Leo Gallagher, who had been expelled from the faculty of the University of California.

Mr. AUERBACH. I don't recall any such meeting.

The CHAIRMAN. Does that name "Gallagher" refresh your recollection?

Mr. AUERBACH. It does not.

Mr. COHN. Do you know Donald Henderson?

Mr. AUERBACH. I will refuse to answer that, on the ground of—

Mr. COHN. Do you know a man named Oakley Johnson?

Mr. AUERBACH. The same answer there.

Mr. COHN. Do you deny that you, Henderson, Johnson, and Reed Harris addressed this meeting?

Mr. AUERBACH. I don't deny it. I just don't recall such a meeting.

Senator SYMINGTON. Recently a man died, Stalin. Do you think he was a great man?

Mr. AUERBACH. I certainly do. I think he was a great man.

Senator SYMINGTON. Once he was supposed to have been asked how many people he had to kill in order to effect the Kulak revolution in Russia. And he answered, presumably: "Ten million in four years. It was awful." Do you think there was anything in that question and answer?

Mr. AUERBACH. I don't know what authority you are quoting, Senator. It sounds to me like the kind of question and answer that someone would use who had some other purpose in mind.

Senator SYMINGTON. Well, it was in *Time* magazine, and I read it, and I just wondered what you thought of it. You do think, in order to have a society like there is in Russia today, it is proper to starve or kill people to any great extent to get it? Do you think it is worth that much? Would you be in favor of the purges that have gone on in Russia in order to get what is in Russia?

Mr. AUERBACH. Well, you are asking me something that is very difficult to answer.

Senator SYMINGTON. I see that.

Mr. AUERBACH. It is very difficult.

Senator SYMINGTON. But my impression was that you felt that in Russia today they had a better system than we have here. Do you think that the means that they went to to get that system, which involved the destruction of a great deal of property and a great many lives, was proper, under the man that you say you think was a very great man?

Mr. AUERBACH. I think that a great deal of that has been exaggerated. But undoubtedly there was a great deal of violence connected with the revolution in Russia, as there is in any revolution.

Senator SYMINGTON. And since the revolution? Would you say since the revolution?

Mr. AUERBACH. And undoubtedly there was some since the revolution, although I think that a great deal of that is exaggerated and used for propaganda purposes.

Senator JACKSON. In other words, if there is anything that is really adverse that comes out in the paper about the Soviet Union, you think for the most part that is pretty much propaganda?

Mr. AUERBACH. Well, I wouldn't put it that way at all. I think that a great deal of it is propaganda, and a great deal of it is a part of the so called psychological war of nerves.

Senator SYMINGTON. Would you be willing to undertake a reasonable amount of purging in this country in order to get our system up to the standard of the Soviet Union?

Mr. AUERBACH. I would not be willing to undertake anything of the kind.

Senator SYMINGTON. So that you think it could be right over there and wrong over here; is that it?

Mr. AUERBACH. Well, I believe this country has a different future ahead of it, and that its development will take place on a basis of

what is here, not what took place in the Soviet Union or anywhere else.

Senator JACKSON. You have stated, Mr. Allen, that when a majority of the people of the United States desire the Communist form of government, they will have it. Are you suggesting to the committee that that is the way communism comes into being in a given country?

Mr. AUERBACH. What I am suggesting is that I believe that communism—By the way, in order to have our terms straight, when I speak of communism, strictly speaking, that is not the form of society they have in the Soviet Union.

Senator JACKSON. I know. I will come to that in a minute.

Mr. AUERBACH. What they have there is a form of socialism. And when that was established, in 1917, as you know, it was the result of a revolution, and a rather violent revolution. Not that it was the will of the Russian Communists that it should take place that way.

As you know, there were others that were interested in preventing that revolution.

Senator JACKSON. Can you name a country where a majority of the people have voted for communism, have voted it in?

Mr. AUERBACH. I believe that the majority of the people in old Russia wanted it, or they wouldn't have had it. It would have been impossible for them to obtain power.

Senator JACKSON. Can you name a country where the majority of the people voted in communism? You testified here earlier that when a majority of the American people wanted communism they would have it, and you have also testified that you are opposed to using force and violence to achieve that objective.

Mr. AUERBACH. That all depends on what you mean by "voted in." Well, the actual process may not have been through the ballot; that is, a voting in.

Senator JACKSON. Well, how is it going to come into being?

Mr. AUERBACH. That depends on what the circumstances in the country are. I certainly am no soothsayer and don't know how things are going to happen here.

Senator JACKSON. Let us see if I can get your position straight, because I think this is important. Do you believe that the Communist society, as distinguished from the Soviet Union—You are talking about the communist society as an ideal objective. I assume that is it.

Mr. AUERBACH. The next stage of social development, yes.

Senator JACKSON. Do you say that that should come into existence in a given country through the normal democratic process? Or should it come into being through the use of force and violence?

Mr. AUERBACH. Well, I would say that it can come into being through the normal democratic process. I don't see any reason why it can't.

Senator JACKSON. Has it ever so come into being in any country?

Mr. AUERBACH. Unless there is such opposition to it—

Senator JACKSON. Has it ever come into being in a country without force or violence?

Mr. AUERBACH. That all depends. Now, China, of course, is not a socialist country.

Senator JACKSON. What is it?

Mr. AUERBACH. It is what is known as a people's democracy, and it is on the way to socialism.

Senator JACKSON. It is a people's democracy. Well, I would like for you, if you can, for the benefit of this committee, to give us one country where communism has come in by the means that you apparently advocate, namely, peaceful means.

Mr. AUERBACH. Well, the Soviets took power largely by peaceful means.

Senator JACKSON. You are a student of history. That is why I ask you the question.

Mr. AUERBACH. It took part largely by peaceful means. The violence took place after the taking of power, largely.

Senator JACKSON. I take it that your testimony is that the present regime in Russia, and the previous regime, came into existence by reason of the utilization of peaceful means. I believe that is your testimony. Is that your testimony?

Mr. AUERBACH. In Russia, in general, yes. That is what took place.

Senator JACKSON. And you are a student of history.

Mr. AUERBACH. Well, I consider myself something of a student of history.

Senator JACKSON. And how did it come into being in Czechoslovakia?

Mr. AUERBACH. Well, it came after a war, did it not?

Senator JACKSON. I say, did it come by democratic process?

Mr. AUERBACH. It came after a war, and the Czechoslovakian government was established by a democratic process.

Senator JACKSON. Which government are you talking about? The Communist government?

Mr. AUERBACH. The one that is in power now.

Senator JACKSON. And they have a democratic government in Czechoslovakia?

Mr. AUERBACH. They have a people's form of democracy.

Senator JACKSON. And communism came into being in Czechoslovakia, or what you call a people's form of democracy, through peaceful, democratic means?

Mr. AUERBACH. That is what took place throughout eastern Europe.

Senator JACKSON. Will you answer the question?

Mr. AUERBACH. Yes.

Senator JACKSON. It came by peaceful means?

Mr. AUERBACH. Yes.

Senator JACKSON. And it took place in the Soviet Union the same way?

Mr. AUERBACH. Not in exactly the same form.

Senator JACKSON. By peaceful means, though?

Mr. AUERBACH. It came into power peacefully.

Senator JACKSON. You are a marvelous student of history.

Senator McCLELLAN. You said it came into power in Russia by peaceful means, and that the violence took place afterwards, I believe?

Mr. AUERBACH. The violence took place, and a counter-revolution arose.

Senator McCLELLAN. The violence you refer to: Do you associate the purges with that?

Mr. AUERBACH. Well, I don't know what you mean by "purges," Senator.

Senator JACKSON. The Czar gave up peacefully?

Mr. AUERBACH. Well, the Czar was out. You know, the Czar wasn't there when the Soviets took power.

Senator JACKSON. I am talking about the Czarist regime.

Mr. AUERBACH. He had already been executed.

Senator JACKSON. But that was a peaceful execution?

Mr. AUERBACH. Well, he had been executed while the Kerensky government was in power.

Senator JACKSON. And how did they get rid of the Kerensky government?

Mr. AUERBACH. They were voted out by the congress of Soviets.

Senator McCLELLAN. They were voted out by bullets, were they not?

Mr. AUERBACH. Well, they are the ones that brought bullets in, weren't they? They were the ones that organized the counter-revolutionary elements.

Senator JACKSON. You are familiar with the statement in *Pravda* recently, in which they announced that there is a Zionist plot in the Soviet Union. Do you go along with that statement?

Mr. AUERBACH. I don't know all the circumstances involved there, and I haven't followed that too closely. But I do know this, that over a long period of years the Communists in the Soviet Union have fought Zionism. And this is nothing new in their policy.

Senator JACKSON. And are you in favor of that?

Mr. AUERBACH. Zionism as a reactionary form of nationalism—it does have its dangerous aspects.

Senator JACKSON. You are opposed to Zionism as such?

Mr. AUERBACH. I am opposed to Zionism as a philosophy and a program, yes.

Mr. COHN. Did you ever disagree with anything in *Pravda* that you read?

Mr. AUERBACH. I don't read *Pravda*.

The CHAIRMAN. You say you do not read *Pravda*?

Mr. AUERBACH. I don't read *Pravda*.

Mr. COHN. You read translations of articles from *Pravda* don't you?

Mr. AUERBACH. Very occasionally. Those that are reported in the newspaper.

The CHAIRMAN. When you were foreign editor of the *Daily Worker*, did you ever read translations of articles from *Pravda*?

Mr. AUERBACH. May I consult with my lawyer?

[Mr. Auerbach confers with Mr. Forer.]

Mr. AUERBACH. I will refuse to answer that question, Senator, on the grounds previously indicated.

Senator McCLELLAN. I have one more question, Mr. Chairman.

I believe in the beginning of your testimony you refused to answer whether you were a Communist or not, on the ground that it might incriminate you.

Mr. AUERBACH. Substantially, yes.

Senator McCLELLAN. In view of the admissions you have made here with respect to your views, do you now insist that it might incriminate you if you answer that question?

Mr. AUERBACH. You mean if you were to ask me the question now?

Senator McCLELLAN. I will ask it again, and ask you whether you think it would incriminate you now, in view of the testimony you have already given.

Are you a member of the Communist party?

Mr. AUERBACH. My answer would remain the same as previously.

Senator McCLELLAN. You refuse to answer on the ground that it might incriminate you?

Mr. AUERBACH. On the ground of my constitutional privilege under the Fifth Amendment.

Senator McCLELLAN. Well, are you sincere in believing it might incriminate you if you answered truthfully?

Mr. AUERBACH. If I answered truthfully and sincerely.

Senator McCLELLAN. I ask you now: Are you of the opinion that it might incriminate you if you answered the question truthfully?

Mr. AUERBACH. May I consult?

[Mr. Auerbach confers with Mr. Forer.]

Mr. AUERBACH. It might tend to.

The CHAIRMAN. That was not the question.

Senator McCLELLAN. No, I am asking you if you are sincere—

Mr. AUERBACH. I am sincere.

Senator McCLELLAN [continuing]. In making the statement that you are afraid it might incriminate you.

Mr. AUERBACH. That it might tend to incriminate me, yes.

Senator McCLELLAN. Do you think it would add any particular force to the testimony you have already given as to whether you are a Communist or not?

Mr. AUERBACH. I don't quite understand your question.

Senator McCLELLAN. In other words, do you not think you have already admitted in the record that you subscribe to all of the philosophy and the objectives of communism? Have you not already admitted it?

Mr. AUERBACH. What I have done, of course, is discuss my opinions and my beliefs.

Senator McCLELLAN. You have pointed out that there is a difference in your opinion—

Mr. AUERBACH. I believe it was Senator McCarthy who said I had a right to any opinion or belief.

Senator McCLELLAN. You have. I am not questioning that.

What I am saying is: Is there any difference between the beliefs you have expressed, and communism? You say you do not want to answer whether you are a Communist or not. Can you point out any difference in the opinions you have expressed here as your beliefs, and what the Communist party stands for? Can you point out any?

[Mr. Auerbach confers with Mr. Forer.]

Senator McCLELLAN. I would like for the record to show a long consultation with counsel.

Mr. AUERBACH. Well, I have discussed my beliefs, stated my beliefs.

Senator McCLELLAN. I agree with you.

Mr. AUERBACH. But when a question of being a member or not being a member of the Communist party is raised, that is on another order. That is an organizational question.

Senator McCLELLAN. I am asking you now, in view of the beliefs that you have expressed here for the record, and on the record: Can you point out any difference between those beliefs and the beliefs of communism and what the Communist party stands for? Can you point out any difference? In all fairness to you, if there is some reason why you do not want to admit you are a Communist, can you point out any difference between what you have expressed here on the record and what communism stands for, and its objectives?

Mr. AUERBACH. May I consult?

[Mr. Auerbach confers with Mr. Forer.]

Mr. AUERBACH. Well, we are getting to very fine points here. My answer would be, "No."

Senator McCLELLAN. I thank you very much.

Mr. AUERBACH. We are merely within the realm of belief, talking about opinions and beliefs.

Senator JACKSON. In other words, you believe in the objectives and the things that the Communist party stands for?

Mr. AUERBACH. Its general objectives, yes.

Senator JACKSON. Of the Communist party, as we know it?

Mr. AUERBACH. Yes.

The CHAIRMAN. Let me ask this: If the Communist party objectives could not be achieved in this country by peaceful means, would you favor achieving them by force and violence?

Mr. AUERBACH. That is one of those "iffy" questions about the future that one never knows how it is going to turn out. I am not in favor of achieving it by force and violence, and I would like to see it achieved as peacefully as possible. I would certainly work for that.

The CHAIRMAN. I think you can answer that question. As I say, we are interested in this, because you are one of the men whose books are being used to fight communism throughout the world, believe it or not.

Mr. AUERBACH. That is news to me. I would like to know how that happened.

Senator JACKSON. The chairman might have placed the witness in serious trouble, if the Communist party finds out he has been used to fight them. He will be up for disloyalty.

The CHAIRMAN. In view of the fact that you are being used, and we are paying money to buy your books, to fight communism, I think we are entitled to an answer to that question. That is this: If you can not achieve a Communist society in this country by peaceful means, if it is found to be impossible, then would you favor using force to accomplish that objective?

Mr. AUERBACH. I would answer that question by saying I am not in favor of using force and violence to obtain that objective. As to the alternative you place, I am in no position, nor is anyone else in position to know.

The CHAIRMAN. I am going to insist that you answer that. I say: If you could not achieve a Communist society in this country by peaceful means, if you find that is impossible, then would you favor

achieving it by force and violence? The only grounds upon which I would let you avoid answering that is if you say that the answer will tend to incriminate you.

[Mr. Auerbach confers with Mr. Forer.]

Mr. AUERBACH. I can't answer the question, because I have no opinion on it. I haven't thought about it, and I haven't tried to determine an answer to that question. I just don't have any opinion.

The CHAIRMAN. In other words, at this time you say you do not know whether you would favor using force and violence to establish a Communist society in this country, if it could not be done by peaceful means? You say you cannot answer that. You do not know.

Mr. AUERBACH. I can't answer it, because one does not know just what kind of circumstances would arise, how a question like that would arise. I have given it no thought and have no opinion on it.

Senator MCCLELLAN. You are not willing to say under oath at this time that you would not?

Mr. AUERBACH. I am not willing to say under oath anything on the question, because I do not know.

The CHAIRMAN. At Communist meetings, did you ever discuss the necessity of establishing a Communist society in America by using force and violence?

Mr. AUERBACH. I will have to claim my privilege on that, sir,

The CHAIRMAN. Did you know anyone on the *Daily Worker*, ever, at any time, who was not a member of the Communist party?

Mr. AUERBACH. I will have to claim my privilege on that one, too, sir.

The CHAIRMAN. Your testimony under oath is that you do not know Reed Harris?

Mr. AUERBACH. I do not recall him in any way.

Senator MCCLELLAN. I suggest, Mr. Chairman, you further identify Reed Harris, the position he now holds, where he went to school, and the meetings attended. Let us see if we cannot refresh his memory.

The CHAIRMAN. Reed Harris, according to the testimony heretofore taken before this committee, attended Columbia University and was expelled or suspended. He had been editor of the *Spectator*. He appeared at a meeting at Columbia to defend Don Henderson, who was about to lose his contract as a teacher. Henderson, at that time, was identified as a Communist. He is the man who has been identified as having appeared on a platform with you, Oakley Johnson, Donald Henderson, to defend Mr. Gallagher, Mr. Leo Gallagher, a professor being expelled from the University of California because of Communist activities. He has been active in the WPA, the Writers Project, has worked under Alsberg, is now the deputy administrator of the International Information Administration. With that information, is it your testimony that you have no recollection now of ever having met him?

Mr. AUERBACH. That is my testimony. I have no recollection of ever having met him, nor do I have a recollection of the meeting that you referred to.

The CHAIRMAN. Did you know Owen Lattimore?

Mr. AUERBACH. Yes, I think I met him at one meeting. That is, I am not quite sure, but at a previous hearing that question was asked me, and I was shown a memorandum saying that such a

meeting was held, at which he was present and I was present, and I assume that if there was such a memorandum—it was many years ago—it was so. I just didn't recollect having met him.

The CHAIRMAN. What meeting was that? Where was it held?

Mr. AUERBACH. That was a meeting of the IPR.

Mr. CHAIRMAN. And that was the only meeting you ever attended with Owen Lattimore?

Mr. AUERBACH. Yes, if he was there, and I assume he was.

The CHAIRMAN. Is it your testimony that you never received instructions, either directly or indirectly, to your knowledge, from Moscow, so far as Communist activities were concerned?

Mr. AUERBACH. I will claim my privilege on that.

The CHAIRMAN. I think I have no further questions of this witness at this time.

You will be requested, or perhaps I should say ordered, to appear tomorrow morning at 10:15 in this room. And that will be a public hearing. You will have the same rights as far as counsel is concerned as you have today.

Mr. COHN. I think you have another witness, Mr. Forer.

Mr. FORER. Shall I bring him in?

Mr. COHN. Yes.

The CHAIRMAN. Will, you raise your right hand, sir?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MANDEL. I do.

Mr. COHN. Give us your full name, please.

**TESTIMONY OF WILLIAM MARX MANDEL (ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER)**

Mr. MANDEL. William Marx Mandel.

Mr. COHN. Is that M-a-r-x?

Mr. MANDEL. Yes.

Mr. COHN. And where do you reside?

Mr. MANDEL. 545 West 164th Street, New York City.

The CHAIRMAN. Is that the name you have always gone under?

Mr. MANDEL. I refuse to answer that question, under my privilege within the Fifth Amendment to the Constitution, not to testify against myself.

The CHAIRMAN. May I ask this question? Is that the name that you bore when you were, we will say, one year old? If you think it will incriminate you, you may refuse to answer.

Mr. MANDEL. I will stick to the Fifth Amendment.

The CHAIRMAN. In other words, you say if you tell us what your name was when you were a year old, it might tend to incriminate you?

Mr. MANDEL. Well, it is quite obvious that carried up to the present day, it may lead to something which might tend to incriminate me.

The CHAIRMAN. Well, it is a broad privilege.

Senator JACKSON. Is this your true name, that you gave the committee?

Mr. MANDEL. That is my true name.

Senator JACKSON. Your true name. And what was your full name, again?

Mr. MANDEL. William Marx Mandel, M-a-n-d-e-l.

The CHAIRMAN. Let me ask you this: Have you written under pseudonyms?

Mr. MANDEL. I will have to give the same reply.

The CHAIRMAN. You refuse to answer on the ground that it might incriminate you?

Mr. MANDEL. Yes.

Mr. COHN. Are you the author of *Soviet Far East and Central Asia*, Mr. Mandel<sup>2</sup>

Mr. MANDEL. I am.

Mr. COHN. When did you write that book?

Mr. MANDEL. Well, I think I wrote most of it in 1942, and I think some of the additional material came in 1943, '42-'43.

Mr. COHN. Were you a member of the Communist party in 1942-43?

Mr. MANDEL. I must refuse to answer that question, under my privilege within the Fifth Amendment not to be a witness against myself.

Mr. COHN. Have you ever engaged in espionage?

Mr. MANDEL. No.

Mr. COHN. Do you know of any Communists who ever did engage in espionage or any related activity?

Mr. MANDEL. I don't understand "related activity."

Mr. COHN. I will withdraw that. Did you know of any Communists who have engaged in espionage?

Mr. MANDEL. No.

Mr. COHN. Are you a member of the Communist party today?

The CHAIRMAN. The question is: Are you a member of the Communist party as of today?

Mr. MANDEL. I refuse to answer under the Fifth Amendment.

Mr. COHN. Have you ever engaged in sabotage or any other illegal act against the United States?

Mr. MANDEL. I refuse to answer under the Fifth Amendment.

The CHAIRMAN. Will you separate the question?

Mr. COHN. Have you ever engaged in sabotage against the United States?

Mr. MANDEL. I refuse to answer under the Fifth Amendment.

Mr. COHN. Have you ever violated any law of the United States?

The CHAIRMAN. I don't think that is a proper question.

Senator JACKSON. Beyond the scope of the committee.

The CHAIRMAN. Mr. Mandel, have you ever been convicted of any crime?

[Mr. Mandel confers with Mr. Forer.]

Mr. MANDEL. Will you repeat the question, please?

The CHAIRMAN. The question was: Were you ever convicted of a crime?

Mr. MANDEL. If disorderly conduct be regarded as such—I think it is a misdemeanor—the answer is "yes."

<sup>2</sup>William Mandel, *The Soviet Far East and Central Asia* (New York, International Secretariat, Institute of Pacific Relations, 1944).

Mr. COHN. In connection with what? That is a matter of public record, I suppose. In connection with a demonstration or riot or something?

Mr. MANDEL. No, the answer is that I was selling a pamphlet, about twenty-odd years ago, or perhaps not that long ago.

Mr. COHN. What was the pamphlet?

Mr. MANDEL. The pamphlet was called "The Truth about Father Coughlin."

The CHAIRMAN. And you were arrested at that time and convicted of disorderly conduct?

Mr. MANDEL. That is my recollection.

The CHAIRMAN. And that is the only time that you were either arrested and convicted of any crime?

Mr. MANDEL. Other than traffic violations, or things of that kind. That is the best of my recollection.

Mr. COHN. Do you know Louis F. Budenz.

Mr. MANDEL. Fifth Amendment.

Mr. COHN. Would you fight for the United States against the Soviet Union in the event the United States Congress declared war against the Soviet Union?

Mr. MANDEL. Yes.

Mr. COHN. Under any circumstances?

Mr. MANDEL. If the United States Congress declared war, yes.

Mr. COHN. You would. Do you believe that our cause in Korea is a just cause?

Mr. MANDEL. No.

Mr. COHN. You do not?

Mr. MANDEL. No.

Mr. COHN. Would you fight on the side of the United States and the United Nations in Korea?

Mr. MANDEL. Under the laws of the country, if required to, yes.

The CHAIRMAN. Do you think the cause of the North Koreans and the Chinese Communists is a just cause in Korea?

[Mr. Mandel confers with Mr. Forer.]

Mr. MANDEL. The answer is "yes."

The CHAIRMAN. It is a just cause?

Mr. MANDEL. That is correct.

Mr. COHN. That is very interesting. What did you say your occupation was at the present time?

Mr. MANDEL. Let me preface my reply, and I will answer the question if you insist. My occupation at the present time has, as will be evident if you press me, no conceivable relation to any business before this committee. Therefore, to request this—and I will answer it if you press me—can only have the effect, if this is later made public, of causing me to lose my livelihood, something which I will make the most of, I state quite candidly.

Mr. COHN. Is that a threat?

Mr. MANDEL. That is not a threat. That is simply a statement.

Mr. COHN. Where are you going to make the most of it?

The CHAIRMAN. On the reason for calling you, or not, you said the question of your occupation would have nothing to do with what is before the committee. We are checking into the information program, which has been costing us, oh, \$125 mill or \$135 million a year. And we have been checking into the background, the activi-

ties, on some of the individuals who are being used in this fight against communism. That is the announced objective of the information program. And I think under the circumstances it is a pertinent question to ask you about your background, what you are doing today.

I do not know what you are doing today, you see, until you answer the question.

Mr. MANDEL. I am a writer of medical advertising copy to the profession.

Mr. COHN. How long have you been doing that kind of work?

Mr. MANDEL. Oh, since shortly after the last time I was before a committee hearing here in Washington.

Mr. COHN. What were you doing before that?

Mr. MANDEL. Before that I was in the furniture business for a year.

Mr. COHN. And what were you doing between then and the time you were before some other committee?

Mr. MANDEL. I have been before one previous committee. Let me see, now. I have been in this work for a year. I was in the furniture business for just about a year, I would imagine. And last prior to that, I was employed as a translator for the Stefansson Library at 14 St. Luke's Place, New York City.

The CHAIRMAN. Is that Vilhjalmur Stefannson?

Mr. MANDEL. Vilhjalmur, yes.

The CHAIRMAN. I would like to get your thought on this. You seem to think that we should not inquire as to your occupation as of today. If you have any valid grounds on which you want to urge that, we would be glad to hear them.

Mr. MANDEL. Yes. The advertising business is a very public relations-conscious business, and the firm by which I am employed has important concerns as its clients, and they are probably more public relations-conscious than is necessary. That is the situation in the industry. So that if it became public knowledge that someone employed by that firm had been before this committee, that, in itself, would probably—it is a guess; I think a sound guess—would probably be cause for my losing my employment.

The CHAIRMAN. Well, now, I do not want to argue this point with you, but I would like to get the thought of the other senators on this.

My thought is, Senator Jackson, that here you have a man who says, "If I tell you the truth about whether I am a Communist today, that might incriminate me." It creates a strong inference, certainly, that he is a member of the Communist party. Otherwise, it could not very well incriminate him. His works are being used to fight communism. He is now writing advertising copy, material being read by the general public. I can't think of any reason why his occupation should not be known. Do you?

Senator JACKSON. Well, I think that the committee has a right, on the basis of asking the routine questions incident to an over-all investigation, to ask what a man is doing and where he lives. On that basis also, I think we have the right to ask.

Might I say to the witness: I am sure you are realistic enough to know that when you come before a committee in open session it will be known in time whether you have answered, and maybe

in a way that might confuse the public; it will be known that you have appeared, and it will be brought out through the press that you worked for such and such a company. And it would occur to me that in order to keep the record straight, you should simply state it. You are in that situation, and apparently that is the price you have to pay as a member of the Communist party.

The CHAIRMAN. And as a country, we are apparently dedicated to the idea that communism is wrong, that it is set to destroy us, that it is a conspiracy, that it is a crime to be a member if you are aware of the conspiracy. Therefore, when a man comes before the committee and says, "I will not tell whether I am a Communist or not," he, I believe, forfeits any right or any privilege or special protection by the committee. I think he should answer all the questions. Under the circumstances, the answer will stay in the record.

Mr. COHN. Will you give us the name and address of your business, and telephone number, at the present time?

Mr. MANDEL. Yes. The only point I want to make before answering it is that I claim no privilege on this matter, and I simply want to point out that if the committee wishes to face the onus of causing loss of a job, not in any abstract sense—I don't think that concerns the committee at all—but in the practical sense of the impression that might be created upon the public, if that is the case, I will, since I am aware of no privilege on this matter, be happy to give you the information.

The CHAIRMAN. May I say that I get the impression from what you said that you were threatening the committee. When you are outside the committee room, you can say anything you like about this committee, and if you are a member of the Communist party, as you indicate by your answer, you are dedicated, of course, to attacking this committee, regardless of whether you lose your job. I have been a subject of attacks by every Communist writer, every Communist in the country. None of them, as far as I know, have been supporting me or this committee. So that you are not impressing us at all by any threat to attack it. You will be just one of a long line, if you do answer the question.

Mr. MANDEL. The firm I am employed by is L. W. Frohlich, F-r-o-h-l-i-c-h, and Company, and I don't know at the moment—they are in three buildings. I suppose the legal address is 76 East 52nd Street, New York City.

Mr. COHN. What kind of a firm did you say this was?

Mr. MANDEL. They advertise medical products to the profession solely. That is their business.

Mr. COHN. Do they have any connection with the government in any way, any government work?

Mr. MANDEL. None whatever, to the best of my knowledge.

Mr. COHN. I have no further questions of this witness, Mr. Chairman.

You have told us you are the author of *Soviet Far East and Central Asia*?

Mr. MANDEL. That is right.

Mr. COHN. You decline to tell us whether or not you were a member of the Communist party at the time you wrote that book?

Mr. MANDEL. That is correct, for the reason stated.

Mr. COHN. Is there anything in that book unfavorable to the Soviet Union?

Mr. MANDEL. I haven't read the book in quite a while.

Mr. COHN. Can you give us your best recollection on it?

Mr. MANDEL. As far as that book is concerned, I cannot say off-hand. I can state that, as I stated to a committee last year, I am aware of injustices, errors, and more of them than I have described in things that I have written, and have no hesitation discussing them, and I simply don't know, frankly, whether in that work at that time I discussed that or not.

Senator JACKSON. Have you written anything unfavorable to the Soviet Union at any time?

Mr. MANDEL. In the first place, you would have to define the term. In short, if one describes the term "favorable" as meaning that everything that happens there is good and nothing that happens there is bad, then I would say that I certainly have written unfavorable things. I just don't recall. The book was written ten years ago, is on a specialized subject, and I just don't recall.

Senator JACKSON. What is your opinion of the anti-Semitism in the Soviet Union?

Mr. MANDEL. Being a Jew, I have certain standards on the basis of which to judge that. I have never encountered an anti-Semitic government in history that had a Jewish member of its cabinet.

Mr. COHN. Who is the member of the Jewish Cabinet?

Mr. MANDEL. Kaganovich, K-a-g-a-n-o-v-i-c-h.

The CHAIRMAN. What is his position?

Mr. MANDEL. He is one of the vice premiers, one of the members of the five inner cabinet under the present administration.

Mr. COHN. I think Senator Jackson's question was addressed to these purges. Do you approve of the anti-Semitic purges?

Mr. MANDEL. I think that is utter nonsense.

Mr. COHN. That is just counter-revolutionary propaganda?

Mr. MANDEL. It is not counter-revolutionary propaganda. It is nonsense. I went down and bought a copy of *True*, Soviet Labor party. I bought copies of *Pravda* at the library next to the main public library on 42nd Street. Four days after this thing happened, that comes over by air mail, when our post office doesn't stop it.

And on the same front page of the same paper which presented the indictment of these physicians, there was an announcement of the meeting the previous evening of the committee of Judges for Stalin prize awards in the literature and science for this coming year.

Among the eleven judges are two men who are well-known to be Jewish.

Mr. COHN. And that is that?

Mr. MANDEL. And many similar things. If you want a lecture for an hour and a half, I would be glad to give it to you.

Mr. COHN. Do you know a man named Aaron Berg, who is a very high functionary in the Soviet Union at the present time?

Mr. MANDEL. He is a very prominent writer. I don't know that he has a function of any kind.

The CHAIRMAN. Just one question. As I read the account of the trials in the Slansky and other cases, the news stories were to the effect that some of the individuals confessed to being Zionists. They

were hung. That apparently was a major part of their alleged crime.

Would you agree that it would be a crime to be a Zionist?

Mr. MANDEL. Their crimes under the indictment were military treason, economic treason, murder, and a fourth which I don't recall at the moment. You may have whatever opinion you care to about the confessions and the evidence. The fact is that they describe at great length the crimes which they committed. And it is a rather interesting fact to me that the New York *Herald Tribune* correspondent reported from Washington a couple of days later that informed anti-Communists in Washington apparently feel that these men were a little inept and stupid, and more able men will have to be gotten into that job next time.

Senator JACKSON. Well, let me ask you this: You do not think it is unusual that simultaneously, at least, leaders of the Communist party in the Soviet Union and the satellite areas of Jewish origin were all brought to trial at once?

Mr. MANDEL. The United States government is openly and publicly engaged in a program of espionage against the Soviet Union. In order to do this kind of thing, you have got to have people who are going to be able to get inside of those countries. Now, the State Department, which you gentlemen seem to have differences with, has pursued a policy of cutting off trade with those countries. Therefore you cannot possibly use a businessman as cover for that kind of operation. The other side has cut down the number of journalists which they admit in to a very small number. Therefore, it is very difficult to find more people like Oatis to do that kind of job. And so what you are left with is the possibility of using whoever can get in. Now, the allegedly anti-Semitic governments of the east European countries permitted only Jewish organizations, and particularly this Joint Distribution Committee, to function within their territories after World War II, despite the fact that there are similar Ukrainian organizations.

Pardon me just one moment.

And apparently they did so on the grounds that the Jews had suffered special persecution. So that it would seem entirely logical to me that a government which is by open proclamation engaged in espionage in their countries as our government is would utilize whatever organization comes to hand that has access to those countries.

Therefore, it is not at all surprising that certain people with that kind of connection were brought to trial.

Senator JACKSON. You said the Ukrainian organizations were not allowed to function.

Mr. MANDEL. To the best of my knowledge. Remember, I am speaking of foreign non-Soviet and east European organizations.

Senator JACKSON. What did you say about a Ukrainian organization?

Mr. MANDEL. I said Ukrainian organizations existing in the United States and Canada were not permitted to function on a parallel relief basis as the Joint Distribution Committee was.

Senator JACKSON. Well, the Ukrainians have never been very reliable so far as the Soviets are concerned.

Mr. MANDEL. That is a matter of opinion. I would say the record of World War II is that the overwhelming majority of the Ukrainians were entirely loyal. Hitler put up a puppet government which fell to pieces in a few weeks.

Senator JACKSON. When they are fighting for their home that is something else; but I am talking about reliable from an ideological standpoint.

Mr. MANDEL. My opinion, since it is a matter of opinion, is that the overwhelming majority of the Ukrainians have been loyal to the Soviet Union during the vast bulk of this thirty-five-year period.

Senator JACKSON. So you do not think it is unusual that Anna Pauker has been removed?

Mr. MANDEL. Anna Pauker's successor is a man named Simon Bugitch, who is also a Jew.

Senator JACKSON. You do not think that the Jewish leaders in the Czechoslovakian government, that were all purged at the same time, and the doctors in the Kremlin, provide any significant pattern? You think that is totally unrelated to any anti-Semitism within the Soviet Union?

Mr. MANDEL. The foreign minister of Czechoslovakia, who is here at the present time, is Jewish, and so forth, on down the line.

Senator JACKSON. I am glad you said that.

Would you like to assure the committee that their tenure is going to be pretty certain for the future, so we can check on this?

The CHAIRMAN. I am afraid he could not do that.

Let me ask you this question: Do you think the Communist society is superior to our society in this country?

Mr. MANDEL. That would be an interesting question to debate. But there again, circumstances being what they are, and legislation being what it is, I am afraid that I would have to rely upon the Fifth Amendment and refuse to reply to that question.

The CHAIRMAN. Let us rephrase the question. Do you think the present type of Communist government as it exists in Russia is superior to the present form of government as it exists in the United States of America?

Mr. MANDEL. That I am afraid is governed by exactly the same privilege, in view of legislation and prosecutions that have taken place, with which Mr. Cohn is quite familiar.

Mr. COHN. Thank you.

Mr. MANDEL. So that I am afraid I am unable to answer that question.

The CHAIRMAN. In other words, is it your answer that if you told us the truth in answer to that question, you think that that answer might tend to incriminate you?

Mr. MANDEL. No, sir. I think that the Fifth Amendment has as its purpose to protect the innocent, and I think that the origin of the Fifth Amendment lies in the protection of political dissent.

The CHAIRMAN. You will then be ordered to answer the question.

[Mr. Mandel confers with Mr. Forer.]

The CHAIRMAN. May I say to counsel that I do not want to interrupt the consultation, but—

Mr. FORER. I think he misunderstood the preceding question, and his answer to that led to your direction. That is what I think is the situation.

But I understand the chair's position.

Mr. MANDEL. What was the question prior to the last question?

The CHAIRMAN. Maybe I should rephrase the question.

The question originally asked was: Do you consider the present Communist government in Russia more desirable than the present government which we have in the United States?

Mr. MANDEL. And to that question I will reply that I refuse to answer under the Fifth Amendment to the Constitution.

The CHAIRMAN. Now my question to you is, do you feel that if you told the truth in answer to that question, your answer might tend to incriminate you?

Mr. MANDEL. Yes. Let me make this clear—

The CHAIRMAN. First, just so you will understand us fully: You see, you are not entitled to claim privilege if you incriminate yourself by committing perjury. It is only when a truthful answer will incriminate you that you are entitled to claim privilege.

Before we can determine whether you are entitled to claim privilege, we must know whether or not you honestly feel that a truthful answer might tend to incriminate you.

That is the purpose of that question.

Mr. MANDEL. I would say that a truthful answer might tend to incriminate me.

The CHAIRMAN. Okay. Then you are entitled to the privilege.

Mr. MANDEL. Fine.

The CHAIRMAN. We will excuse you until 10:15 tomorrow morning.

[Whereupon, at 4:45 p.m., a recess was taken until 10:30 a.m., Tuesday, March 24, 1953.]



## STATE DEPARTMENT INFORMATION PROGRAM—INFORMATION CENTERS

[EDITOR'S NOTE.—The literary witnesses on March 24, 1953 included the former Pinkerton detective turned novelist, Dashiell Hammett (1894–1961), author of *Red Harvest* (1929), *The Dain Curse* (1929), *The Maltese Falcon* (1930), *The Glass Key* (1931), and *The Thin Man* (1934), which later appeared as motion pictures. Hammett had joined the Communist party in 1937, taught at the Jefferson School for Social Science, and was a trustee of the bail fund for the Civil Rights Congress. He was convicted of contempt of court for refusing to identify the contributors to the bail fund and served a prison term from July to December 1951.

Under the pseudonym Helen Kay, Helen Colodny Goldfrank wrote such children's books as *Insects* (1939), *Apple Pie for Lewis* (1951), *Snow Birthday* (1955), *Secrets of the Dolphin* (1964), *Apes* (1970), and *The First Teddy Bear* (1985).

Jerre Mangione (1909–1998) worked for *Time* magazine before becoming an editor for the Federal Writers' Project—the subject of his later book, *The Dream and the Deal: The Federal Writers' Project, 1935–43* (1972). In 1943 he published *Mount Allegro*, an autobiographical account of his life as the son of Sicilian immigrants, which his publisher believed would sell better if issued as a work of fiction. *Mount Allegro* became a best seller and was reissued five times by different publishers. In later years, Mangione taught English at the University of Pennsylvania.

A major writer in the Harlem Renaissance, Langston Hughes (1902–1967) published his first book of poetry, *The Weary Blues*, in 1926. During the 1930s he wrote for the *New Masses* and traveled to Russia to make a film about race relations in the United States, which was never produced. The author of plays, novels, short stories, film scripts, musicals, war correspondence and a regular newspaper column for the *Chicago Defender*, Hughes was best known for his poetry, and edited the anthologies *The Poetry of the Negro, 1746–1949* (1949) and *New Negro Poets, USA* (1964).

Dashiell Hammett, Helen Goldfrank and Langston Hughes testified at a public hearing on March 26, 1953. Jerre Mangione did not testify publicly.]

TUESDAY, MARCH 24, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
Washington, DC.

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:00 p.m. in room 357 of the Senate Office Building, Senator Karl E. Mundt, presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett M. Dirksen, Republican, Illinois; Senator John L. McClellan, Democrat, Arkansas; and Senator Stuart Symington, Democrat, Missouri.

Present also: Roy Cohn, chief counsel; David Schine, chief consultant; Daniel Buckley, assistant counsel; Henry Hawkins, investigator; and Ruth Young Watt, chief clerk.

Senator MUNDT. The committee will come to order.

Mr. COHN. The first witness is Mr. Hammett, Mr. Chairman.

Senator MUNDT. Mr. Hammett, do you solemnly swear the testimony you are about to give us is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAMMETT. I do.

Senator MUNDT. Be seated. Proceed, Mr. Cohn.

**TESTIMONY OF DASHIELL HAMMETT**

Mr. COHN. Mr. Hammett, will you give your full name, please?

Mr. HAMMETT. Samuel Dashiell Hammett.

Mr. COHN. And what is your occupation?

Mr. HAMMETT. Writer.

Mr. COHN. You are an author?

Mr. HAMMETT. That is right.

Mr. COHN. For how long have you followed that calling?

Mr. HAMMETT. Since about 1922, roughly thirty years.

Mr. COHN. You know that a considerable number of your works are used in the State Department Information Program?

Mr. HAMMETT. I did not know that until you told me on the phone.

Mr. COHN. Do you think we have given you a good civil suit for royalties?

Mr. HAMMETT. I doubt that, because thinking about it, the chances are the radio end that was sold is owned by the movie people.

Mr. COHN. Are you a member of the Communist party today?

Mr. HAMMETT. I decline to answer on the ground that the answer would tend to incriminate me, pleading my rights under the Fifth Amendment.

Mr. COHN. Were you a member of the Communist party in 1922?

Mr. HAMMETT. I decline to answer on the ground that the answer might tend to incriminate me.

Mr. COHN. You have written a number of books between 1922 and the present time, have you not?

Mr. HAMMETT. Yes.

Mr. COHN. About how many?

Mr. HAMMETT. Five, I think.

Mr. COHN. Just five books?

Mr. HAMMETT. Yes, and many short stories and stuff that has been reprinted in reprint books.

Mr. COHN. If I were to ask you as to each one of these books if you were a Communist party member at the time you wrote the book what would your answer be?

Mr. HAMMETT. The same.

Mr. COHN. You would refuse on the ground you stated?

Mr. HAMMETT. Yes.

Mr. COHN. Did you write a story which could be classed as other than a detective story?

Mr. HAMMETT. Yes.

Mr. COHN. What?

Mr. HAMMETT. I have written quite a number of short stories that were not detective stories.

Mr. COHN. Any that deal with social problems?

Mr. HAMMETT. I don't think so. Yes, I remember one, if you take it as a social problem. Some short stories have been in paper bound books that have been published in book form.

Mr. COHN. Did any of those deal with social problems?

Mr. HAMMETT. Yes. As a matter of fact, roughly one that I remember, a short story called "Night Shade."

Mr. COHN. "Night Shade"?

Mr. HAMMETT. "Night Shade," which had to do with Negro-white relations.

Mr. COHN. In what book is that published?

Mr. HAMMETT. I don't know, because that was published in one of the reprints or collections of which a great many have been published. Practically all of the short stories have been published by either Mercury or Avon or Dell.

Senator MUNDT. Were they first all published in a magazine?

Mr. HAMMETT. Yes, it was first published in a magazine that I think is now out of existence. I have forgotten what its name was. I could look it up.

Mr. COHN. When you wrote this short story, "Night Shade," were you a member of the Communist party?

Mr. HAMMETT. I decline to answer on the ground the answer may tend to incriminate me.

Mr. COHN. Did that story in any way reflect the Communist line?

Mr. HAMMETT. That is a difficult—on the word "reflect" I would say no, it didn't reflect it. It was against racism.

Senator MUNDT. Would you say that it resembled—whether it reflected or not—the Communist line with respect to race problems?

Mr. HAMMETT. No, I couldn't pick out—I could answer that question, if you just put it, did it at all, but did it reflect that more than, say, other political parties, I would have to say no. I think the truth would be that it didn't reflect it consciously or solely.

Mr. COHN. Consciously or solely. Have you ever had any contact with the publications commission of the Communist party?

Mr. HAMMETT. No.

Mr. COHN. You have not?

Mr. HAMMETT. No.

Mr. COHN. Do you know any members of the publications commission of the Communist party?

Mr. HAMMETT. You would have to tell me.

Mr. COHN. Do you know Alexander Trachtenberg?

Mr. HAMMETT. I have to think about that. I think I decline to answer that on the ground that the answer might tend to incriminate me.

Mr. COHN. Do you know Louis F. Budenz?

Mr. HAMMETT. No.

Mr. COHN. Did you know Alexander Bittelman?

Mr. HAMMETT. I think, or my impression is, that he was in the West Street Jail at the same time I was there.

Senator MUNDT. Where—jail?

Mr. HAMMETT. Yes. I did six months for the bail bond—five months, a month off for good behavior.

Senator MUNDT. Was that a contempt citation?

Mr. HAMMETT. It was over the bail bond fund.

Mr. COHN. After the Communists jumped bail, the three trustees, including Mr. Hammett, were called in and refused to answer questions about the whereabouts of these fugitives, and they refused to produce books and records of the bail bond fund, and were sentenced to jail. That is a fairly accurate statement?

Mr. HAMMETT. Fairly.

Senator MUNDT. Was Bittelman in the jail for the same reason?

Mr. HAMMETT. What happened, the bail bond bail was revoked, and since there were a group of so-called Communists out on bail put up by the fund, until that was revoked, they were out until they raised bail from other sources.

Mr. COHN. Do you get royalties from the purchase of your books?

Mr. HAMMETT. Yes.

Mr. COHN. In other words, if a copy of your book is bought, you get a royalty.

Mr. HAMMETT. Yes.

Mr. COHN. What is the customary royalty?

Mr. HAMMETT. I don't know. I think mine is 15 percent. Publishers' contracts run from 10 percent, and have provisions if there is a sale above a certain amount, it goes up. I think mine is a flat 15 percent, but I am not sure.

Mr. COHN. Have you ever contributed money to the Communist party?

Mr. HAMMETT. I decline to answer on the grounds the answer might tend to incriminate me.

Mr. COHN. Do you have any other income other than that derived from your writings?

Mr. HAMMETT. No. There have been times when I have. At the moment I haven't.

Mr. COHN. Have any moneys you have received as royalties from the sale of these books been contributed to the Communist party?

Mr. HAMMETT. I decline to answer on the ground that the answer might tend to incriminate me, pleading my rights under the Fifth Amendment.

Mr. COHN. I think I have nothing more of Mr. Hammett, Mr. Chairman.

Senator MUNDT. You might say for the record how generally the State Department has been buying these books and distributing them throughout information libraries overseas.

Mr. COHN. Very widely. We will have the exact figures by the morning, but I would say that the number of copies in use are in the hundreds.

Senator MUNDT. Any other questions? If not, you may step down.

Mr. COHN. Mr. Hammett, we might want you in public session tomorrow morning, as I explained to you. Would you be here tomorrow morning.

Mr. HAMMETT. I can be.

Mr. COHN. At 10:15 tomorrow morning, in this room. Thank you.

Mr. HAMMETT. I am through now for the day?

Mr. COHN. You are through until 10:15 tomorrow morning.

Senator MUNDT. I would like to ask you one more question, Mr. Hammett. You answered the question as to whether or not you received a royalty from your books. I think you said earlier that some of your plays or short stories or books were placed in the motion pictures. Is that right?

Mr. HAMMETT. Yes.

Senator MUNDT. Do you get a royalty from that, too?

Mr. HAMMETT. No. I said that in connection with the radio. The motion picture as a rule, mine have all been, the four books sold to motion pictures have been sold outright. But there is, as I said, on the radio thing a provision—I think I would have to look at the

contracts—but motion picture companies put in a provision that gives them the radio right also.

Senator MUNDT. Do I understand that the motion pictures pay you nothing for your work?

Mr. HAMMETT. No. They buy the motion picture right. It varies with different companies, but the right for television is in dispute, because that had not come up then. But they took care of the radio.

Senator MUNDT. In other words, whenever they made a motion picture from the book or short stories, they made a contract that paid you outright for the motion picture rights?

Mr. HAMMETT. That is right. The other they put in, because they had no intention of selling radio rights, because the thought of radio in those days as competing with motion pictures kept you from serializing on the radio at the same time.

Senator MUNDT. Will you stand, please, and be sworn. Raise your right hand. Do you solemnly swear the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. GOLDFRANK. I do.

**TESTIMONY OF HELEN GOLDFRANK (ACCOMPANIED BY HER COUNSEL, CHARLES E. FORD)**

Senator MUNDT. Give your name and address for the record, please.

Mrs. GOLDFRANK. Helen Goldfrank, Thornwood, New York.

Mr. COHN. Could we have counsel's name for the record?

Mr. FORD. Charles E. Ford, 416 Fifth Street, N.W., Washington, D.C.

Mr. COHN. Your name is Helen Goldfrank?

Mrs. GOLDFRANK. That is correct.

Mr. COHN. Have you ever been known by any other name?

Mrs. GOLDFRANK. I believe I must stand on my rights of special privilege as provided under the Fifth Amendment of the Constitution, and I can not answer that question as it may tend to incriminate me.

Mr. COHN. You decline to answer on the ground the answer might tend to incriminate you, and you exercise your privilege under the Fifth Amendment?

Mrs. GOLDFRANK. That is correct.

Mr. COHN. As to whether you have ever been known by another name?

Mrs. GOLDFRANK. That is correct.

Mr. COHN. What is your occupation—Is it Mrs. Goldfrank?

Mrs. GOLDFRANK. My occupation is Mrs. Goldfrank.

Mr. COHN. Do you do any writing?

Senator MUNDT. I did not hear a word she said.

Mrs. GOLDFRANK. Housewife.

Mr. COHN. What is your husband's first name?

Mrs. GOLDFRANK. I must decline to answer that question on the ground that it might tend to incriminate me under the Fifth Amendment to the Constitution, and also on the basis of privileged communication between husband and wife.

Mr. COHN. You think his first name is a privileged communication?

Mrs. GOLDFRANK. Yes. I wouldn't know his name unless I were married to him.

Mr. COHN. Was your husband a member of the national committee of the Communist party?

Mrs. GOLDFRANK. I must repeat that I regret that I must decline to answer your questions on the basis of personal privilege as the answer may tend to incriminate me and I seek the protection of the Fifth Amendment to the Constitution, and secondly, under the Constitution, the status of the family is a privileged communication, and under that I refuse to answer.

Mr. COHN. You refuse to answer on the ground the answer might tend to incriminate you?

Mrs. GOLDFRANK. That is correct.

Mr. FORD. May the record show she gave two grounds? You stated one.

Senator MUNDT. The record will show everything she says loudly enough to be heard, and nothing else.

Mrs. GOLDFRANK. I am sorry but my voice is not very loud.

Mr. COHN. Let me ask you this: Have you ever written any books?

Mrs. GOLDFRANK. I must again regretfully refuse to answer on the rights of special privilege under the Fifth Amendment to the Constitution that any answer I give you will tend to incriminate me.

Mr. COHN. Have you ever heard of a book called *Apple Pie for Lewis*?<sup>3</sup>

Mrs. GOLDFRANK. I respectfully decline to answer on the ground that my answer may tend to incriminate me under the Fifth Amendment to the Constitution.

Senator MCCLELLAN. Have you honestly been telling the truth when you say you are afraid it will incriminate you?

Mrs. GOLDFRANK. I am honest in telling the truth.

Mr. COHN. I do not understand how it could incriminate you to say that you have heard of a certain book.

Mr. FORD. May I address the committee on that? I believe our courts have ruled that if a witness after asserting the right is called upon to explain how the right would be affected, they are waiving the privilege.

Senator MUNDT. I believe the courts have also held that a witness is in contempt if there is no valid ground for incrimination.

Mr. FORD. Only if the senators decide to cite him in your judgment.

Senator MUNDT. I think the witness should be apprized of that fact. If she invokes the right when it does not exist, she could be cited.

Mr. FORD. I believe to save you time she realizes when she declines you all intend to say she should answer so that will cover the question.

Mr. COHN. I don't think it is a matter of intention. The privilege can only be exercised if it is exercised in complete good faith with the sincere good belief that if an answer is given, it might result in incrimination.

<sup>3</sup>Helen Kay, *Apple Pie for Lewis* (New York: Aladdin Books, 1951).

Mr. FORD. Correct.

Mr. COHN. Is it your testimony, Mrs. Goldfrank, that if you say you have heard of a book known as *Apple Pie for Lewis*, that that answer, if you answered truthfully, might tend to show you are guilty of a crime, it might tend to incriminate you. That is what the privilege is.

Mrs. GOLDFRANK. That is my answer.

Mr. SCHINE. Have you heard of the book *Gone With the Wind*?

Mrs. GOLDFRANK. I would like to consult my lawyer. May I have the privilege of speaking with my lawyer?

Mr. SCHINE. Certainly.

[Witness consults with her counsel.]

Mrs. GOLDFRANK. That book has no relationship to me and is innocuous, and I have naturally heard of it.

Mr. COHN. It is your testimony then that this book, *Apple Pie for Lewis* is not innocuous?

Mrs. GOLDFRANK. I refuse to answer that question on the ground of possible self incrimination.

Mr. COHN. Do you know that this book of yours, *Apple Pie for Lewis* and another book of yours are being widely used by the State Department information program?

Mrs. GOLDFRANK. I cannot answer that on the basis of possible self incrimination.

Mr. COHN. Are you today a member of the Communist party?

Mrs. GOLDFRANK. I respectfully decline to answer that question on the basis of the Fifth Amendment and my right of personal privilege that any answer I may give may tend to incriminate me.

Mr. COHN. Have you been a member of the Communist party at any time over the last twenty years?

Mrs. GOLDFRANK. I must again repeat, I respectfully decline to answer your question on my constitutional right under the Fifth Amendment that my answer may tend to incriminate me.

Mr. COHN. Were you a member of the party in 1951?

Mrs. GOLDFRANK. Once again I respectfully decline to answer your question as my answer may tend to incriminate me.

Mr. COHN. You have told us you are a housewife. Do you have any outside source of income, any moneys other than those given you by your husband?

Mrs. GOLDFRANK. I believe two factors would be involved there. I respectfully decline to answer on the basis that any answer I may give may tend to incriminate me, and the second would be the privileged communication between husband and wife.

Mr. COHN. My question is whether or not you, forgetting about your husband, have earned any moneys other than those which your husband has given you. It does not involve your husband at all. The only question is, have you received any moneys other than those given you by your husband?

Mrs. GOLDFRANK. I once again—

Mr. COHN. I will tell you right now I will recommend to the chairman that there is no possible question of husband and wife privilege on that. We are addressing ourselves here to whether or not you received any other moneys.

Mrs. GOLDFRANK. I must respectfully decline to answer that question within my rights under the Fifth Amendment as any answer I may give may tend to incriminate me.

Senator MCCLELLAN [presiding]. Does the chair understand that you think if you gave testimony as to your own personal income from sources other than through your husband that that would tend to incriminate you?

Mrs. GOLDFRANK. I can only answer in the same way, sir.

Senator MCCLELLAN. I am asking you if you think that it would tend to incriminate you. That is what I am asking you. If you gave the committee information regarding your income, income that is independent from that of your husband, your own personal income, are you stating to the committee that you think that to give such testimony truthfully would tend to incriminate you?

Mrs. GOLDFRANK. I must respectfully decline to answer your question as I believe—

Senator MCCLELLAN. You decline to answer whether you think it would tend to incriminate you, do you?

Mrs. GOLDFRANK. I think it would tend to incriminate me.

Senator MCCLELLAN. That is what I asked you and you decline to answer on constitutional grounds. I asked you if you think to give such testimony regarding yourself, independent of your husband, you think it would tend to incriminate you.

Mrs. GOLDFRANK. Once again, I repeat that any answer—I must stand on special privilege of the Fifth Amendment.

Senator MCCLELLAN. You do not have that very well memorized. I am asking you if you think it would tend to incriminate you?

Mrs. GOLDFRANK. I think it would tend to incriminate me.

Senator MCCLELLAN. You think it would tend to incriminate you to answer that question?

Mrs. GOLDFRANK. Yes.

Senator MCCLELLAN. To answer the question that you think it would tend to incriminate you?

Mrs. GOLDFRANK. Yes, sir.

Senator MCCLELLAN. So then you are unwilling to tell the committee, are you, that you believe honestly that it would tend to incriminate you if you answered these questions?

Mrs. GOLDFRANK. I believe once again—

Senator MCCLELLAN. I cannot understand you. I am sorry.

Mrs. GOLDFRANK. I am sorry, too, sir. Would you repeat your question?

Senator MCCLELLAN. Do you tell the committee that you think that it would tend to incriminate you if you answered the question whether you honestly believe if you answered the question regarding your separate and independent income that that would tend to incriminate you?

Mrs. GOLDFRANK. I do.

Mr. SCHINE. Where were you born?

Mrs. GOLDFRANK. New York City.

Mr. SCHINE. And where did you go to school?

Mrs. GOLDFRANK. Excuse me. May I consult with my attorney?

Mr. COHN. You may consult with counsel.

[Witness conferred with her counsel.]

Mrs. GOLDFRANK. I would stand on my right of special privilege and feel that answering that question would tend to incriminate me.

Mr. SCHINE. You do not wish to tell the committee where you went to school?

Mrs. GOLDFRANK. No.

Mr. SCHINE. You feel honestly if you did it would tend to incriminate you?

Mrs. GOLDFRANK. I do.

Mr. SCHINE. In the school that you went to, did you ever hear the pledge of allegiance to the American flag?

Mrs. GOLDFRANK. Yes.

Mr. SCHINE. You did. Did that pledge of allegiance mean anything to you before you got involved in this trouble, or before you got mixed up?

Mrs. GOLDFRANK. I must once again repeat that I cannot answer your question on the basis that it may tend to incriminate me.

Mr. SCHINE. Are you now involved in espionage against the United States government?

Mrs. GOLDFRANK. I stand on my constitutional right of refusing to answer that question as that question may tend to incriminate me.

Mr. SCHINE. Did you carry money from Moscow to Germany for the Communist party?

Mrs. GOLDFRANK. I once again stand on my constitutional right of personal privilege and refuse to answer that question on the basis of the Fifth Amendment to the Constitution as the answer to that question may tend to incriminate me.

Mr. SCHINE. Have you been in Moscow?

Mrs. GOLDFRANK. I once again must refuse to answer your question as that answer to that question may tend to incriminate me.

Mr. SCHINE. Do you regret that you are unable to tell the committee whether you are now or have ever been a member of the Communist party?

Mrs. GOLDFRANK. I regret on the basis of special privilege that I cannot answer your questions within my rights under the Fifth Amendment as any answer to that question may tend to incriminate me.

Mr. SCHINE. You misunderstood the question. Do you regret that you cannot answer the question, are you now or have you ever been a member of the Communist party?

Mrs. GOLDFRANK. May I consult my counsel?

Mr. SCHINE. Yes.

[Witness conferred with her counsel.]

Mrs. GOLDFRANK. I once again must stand on my rights of special privilege and refuse to answer that question because under the Fifth Amendment I have the right to plead that that answer may tend to incriminate me.

Mr. SCHINE. Do you honestly believe in the overthrow by force and violence of the United States government?

Mrs. GOLDFRANK. I refuse to answer that question as that question may tend to incriminate me under the rights of special privilege.

Mr. SCHINE. I have no more questions.

Mr. COHN. Let me ask you this. Did you testify before a federal grand jury in New York recently?

Mrs. GOLDFRANK. May I consult my counsel?

Mr. COHN. Surely.

[Witness conferred with her counsel.]

Mrs. GOLDFRANK. I refuse to answer that question as any answer I may give may tend to incriminate me and I stand on the special privilege of my rights under the Constitution.

Senator SYMINGTON. Mr. Chairman, I recommend that the witness be considered in contempt of the committee for not answering. Not answering a question of that character is absurd.

Senator MCCLELLAN. May I ask one other question. Are you an American citizen?

Mrs. GOLDFRANK. I am, and I am proud of it, sir.

Senator MCCLELLAN. You are an American citizen?

Mrs. GOLDFRANK. Yes.

Senator MCCLELLAN. You do not think that incriminates you, do you?

Mrs. GOLDFRANK. Once again, as an American citizen, sir, I stand on my right under the Constitution of special privilege—

Senator MCCLELLAN. Is there anything in America that you are proud of except that constitutional right you invoke so freely and so insistently? Can you mention anything else you are proud of about America except this right that you claim to be invoking at this time? Do you think it will incriminate you to answer that?

Mrs. GOLDFRANK. I would like to consult my attorney.

Senator MCCLELLAN. All right, consult him.

[Witness conferred with her counsel.]

Mrs. GOLDFRANK. I am proud of the entire Constitution of the United States, and on the basis of the Constitution I seek special privilege under the Fifth Amendment.

Senator MCCLELLAN. Do you believe in the overthrow of the Constitution of the United States, which you now say you are proud of?

Mrs. GOLDFRANK. I must once again plead special privilege—

Senator MCCLELLAN. If you are proud of it, why do you think it intimidates you, after you say you are proud of it, to say that you do not believe in the overthrow of it?

Mrs. GOLDFRANK. I once again must plead special privilege

Senator MCCLELLAN. You have said that you are proud of all of the Constitution of the United States. Do you now insist that it might incriminate you to answer the question whether you believe in the overthrow of that Constitution, which you now say you are proud of? Do you still insist that that might tend to incriminate you?

Mrs. GOLDFRANK. I think my answer to that question would tend to incriminate me.

Senator SYMINGTON. Have you ever acted as a spy for a foreign country?

Mrs. GOLDFRANK. I refuse to answer that question.

Senator SYMINGTON. On the ground it might incriminate you?

Mrs. GOLDFRANK. That is right.

Senator DIRKSEN [presiding]. Mrs. Goldfrank, when you stated that you are a citizen, are you a native born citizen or a naturalized citizen?

Mrs. GOLDFRANK. I believe in the first question, I was born in New York City.

Senator DIRKSEN. You are then native born.

Mrs. GOLDFRANK. Yes.

Senator DIRKSEN. And you are how old, if that is not too personal?

Mrs. GOLDFRANK. I am forty years old.

Senator DIRKSEN. What was your answer?

Mrs. GOLDFRANK. Forty.

Senator DIRKSEN. You are forty?

Mrs. GOLDFRANK. Yes.

Senator DIRKSEN. And you have lived continuously in the United States, I suppose, except for any excursions you may have made abroad since that time?

Mrs. GOLDFRANK. My residence has been in the United States.

Senator DIRKSEN. What is your regular occupation, if you have any? Is it authoring works such as appear here before the committee, or do you have a profession, or are you associated with some company?

Mrs. GOLDFRANK. Sir, I must plead the point, the wife's special privilege, and refuse to answer on the basis that any answer I may give you might tend to incriminate me.

Senator DIRKSEN. I think for the purposes of the record I should advise you that I doubt very much whether you can take refuge in the Fifth Amendment on a question of that kind. I do not believe it involves your liberty at all.

Mr. FORD. May I address the senator?

Senator DIRKSEN. Yes, I would be glad to hear you.

Mr. FORD. I believe that question has appeared in many of the cases tried in our district court here, what is your occupation. I know of several. These grew out of the Kefauver committee hearings, and the question was asked, "What is your occupation," and the people refused, and they were sustained in our court when they did refuse on the constitutional ground.

Senator DIRKSEN. They did not have to divulge what their occupations were?

Mr. FORD. That is right. The courts have held it is the next questions that they may lead to, and they may involve the question of income tax returns and things of that kind, because those questions are asked in the returns in the federal law. So I respectfully call that to your attention that they have ruled that. One was Fischetti case and the other was Guzik, in Chicago. There were several of them where that particular question was made the count of the indictment and passed upon.

Senator DIRKSEN. I think we ought to make the record reasonably full here.

Mr. FORD. Yes.

Senator DIRKSEN. Are you associated with any school or college in New York in a teaching capacity or any other capacity?

Mrs. GOLDFRANK. I must plead special privilege once again, Senator, on the basis of the Fifth Amendment.

Senator DIRKSEN. Have you authored many books or a few books or one book?

Mrs. GOLDFRANK. That question also is——

Senator DIRKSEN. I am not asking what kind of books. I am asking you whether you have authored——

Mrs. GOLDFRANK. I plead that the answer to that question may tend to incriminate me.

Senator DIRKSEN. I have grave doubts about your answer but we will let it stand for the moment until we can determine that. Have you made any trips abroad?

Mrs. GOLDFRANK. I must refuse to answer that question on my right——

Senator SYMINGTON. Mr. Chairman.

Senator DIRKSEN. Senator Symington.

Senator SYMINGTON. I am not a lawyer. I do not think we are really talking to the witness. I think we are talking to the witness' counsel. I think the witness thinks this is all pretty much of a good joke. I respectfully again request, from my knowledge as an American citizen, that this witness be held in contempt of this committee.

Senator DIRKSEN. Your question is very proper and should be considered very shortly after this hearing terminates in a strictly executive session.

Senator SYMINGTON. Thank you, Mr. Chairman.

Mr. COHN. Mrs. Goldfrank, were you ever associated with the Communist Internationale?

Mrs. GOLDFRANK. Mr. Cohn is your name?

Mr. COHN. Yes.

Mrs. GOLDFRANK. I respectfully decline to answer your question on the basis of personal privilege.

Mr. COHN. Is it not a fact that as a representative of the Communist Internationale you carried a sum of money from Moscow to the German Communist party?

Mrs. GOLDFRANK. I must respectfully decline to answer that question on the basis of personal privilege and within my rights under the Constitution.

Mr. COHN. Within the last year, have you been subpoenaed to testify before a federal grand jury in New York?

Mrs. GOLDFRANK. Once again I must——

Senator SYMINGTON. Mr. Chairman, I think we ought to ask her counsel how he advises her to answer that question.

Mr. COHN. I was going to ask the chair to direct her to answer the last question. There is no privilege whatsoever whether a witness was in fact subpoenaed to appear before a grand jury.

Mr. FORD. I will be glad to answer Senator Symington.

Senator DIRKSEN. The committee will be glad to hear counsel.

Mr. FORD. That would cover the question, and I think the courts have held, with respect to identity. It is not only that particular question, Senator, that is involved, because our courts have held that if a witness does answer that question, then they are bound to go on and answer the other questions which would follow, which would be did you appear and what did you testify, which would be natural questions to flow from the key question. So I think our courts have held that you must assert the right to the main ques-

tion because it is the subsequent questions that may involve her. That by itself would be different. For instance, I remember Senator Welker had a client of mine that was in this position before, and he said to the witness, "I don't think that those questions about your sister and others here (the witness' name was Warring) would involve you," and Warring said, "Senator, as I understand, if I answer that key question, I must go on," and Senator Welker said, "Oh, yes, I intended to follow it up with questions until I hit," and may I use his expression "pay dirt." So that is why it is applied to that particular one.

Senator SYMINGTON. I think your explanation is clear.

Mr. FORD. For my own information, I think Mr. Cohn was present when she did testify on two occasions. In fact, I think she answered questions at that time.

Senator MCCLELLAN. Mr. Chairman, accepting counsel's exposition of the law as just stated for the record, I asked the witness a few moments ago if there is anything she was proud of in the Constitution of the United States except the Fifth Amendment provision which she was invoking as a matter of special privilege in this hearing, and she answered, as the record will show, that she is proud of all of the Constitution of the United States.

Having answered then, Mr. Chairman, I asked the witness the question if she believed in the overthrow of the Constitution of the United States, and she again invoked her special privilege under the Fifth Amendment to the Constitution on the grounds that it might tend to incriminate her.

Having answered that she is proud of all of the Constitution, Mr. Chairman, I believe she should now be required to answer the question whether she believes in the overthrow of the Constitution of the United States, and I most respectfully ask the chairman to order the witness to answer.

Senator DIRKSEN. I think it is a very proper question which does not incriminate or put the witness in jeopardy, and I believe the question should be answered.

[Witness conferred with her counsel.]

Mrs. GOLDFRANK. I must decline, Senator, on the basis of special privilege.

Senator DIRKSEN. I think the witness may step down. I would like to ask counsel one question, however.

Mr. FORD. I would be glad to answer.

Senator DIRKSEN. It is not meant to be an invidious question at all.

Mr. FORD. Not at all.

Senator DIRKSEN. And you can decline to answer if you like.

Mr. FORD. I am sure I won't.

Senator DIRKSEN. And we can strike it from the record if you like.

Mr. FORD. I am sure I won't.

Senator DIRKSEN. I am wondering if because of comparable situations we have had before, whether you have advised the witness in advance on certain basic things that are the key for an answer or no answer. Would you care to comment on that?

Mr. FORD. Not at all. I consulted with this witness yesterday afternoon in my office. I have known this witness since she was a

little girl. For myself I opened up Scott Field, at Belleville, Illinois, at eighteen as a flier in the first war. I am an Elk in good standing, and a Roman Catholic of which I am proud, and I love every part of this country and everything it does and says, and I am proud of the courts. However, that same country told me that when a client comes to me in my office, I should give them the best advice provided I do not violate any of our laws, and that I did, and I thoroughly explain to them what it was and what our courts have held, because as a business proposition some years ago I found it worthwhile to acquaint myself with this law as it was becoming quite invoked all over the United States.

I have appeared in Chicago in front of the Kefauver committee, and I assure you that I merely gave this lady the advice which I would give to anyone, because it was conscientious and honest under our law.

Senator DIRKSEN. Both the committee and the law recognize the responsibility of an attorney's advocate to client when he assumes that responsibility.

Mr. FORD. In fact, Senator, I just came back from Hot Springs yesterday, and last year I think I had the privilege of laying beside you in the Majestic Hotel in the baths. You did not know who I was, but I recognized you.

Senator DIRKSEN. We also recognize the confidential relationship between attorney and client.

Mr. FORD. As far as myself or anything about me, I will answer any question anywhere or at any time.

Senator SYMINGTON. I would like to ask you a question, and I am not a lawyer. If somebody comes to you whom you believe has been interested in a conspiracy or member of an organization conspiring to overthrow the United States, is it worth your while to advocate their interest?

Mr. FORD. Is it worth my while?

Senator SYMINGTON. Yes.

Mr. FORD. I think my profession requires me to advocate their interest with certain limitations. First, that I in no way by word of mouth, suggestion or action become in any way part of that, that I keep myself completely detached, and by completely, I do not mean any quibble about it. If the question came up, if it was a close question, I must resolve in favor of my government and not myself. Yes, I have that positive philosophy, and I hope I die with it when the time comes.

Senator DIRKSEN. Have you been sworn?

Mr. MANGIONE. No.

Senator DIRKSEN. Do you solemnly swear that the testimony you will give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MANGIONE. I do.

**TESTIMONY OF JERRE G. MANGIONE (ACCOMPANIED BY HIS COUNSEL, JOSEPH A. FANELLI)**

Mr. COHN. May we have the name of the counsel for the record?

Mr. FANELLI. Joseph A. Fanelli. I am a member of the District of Columbia Bar, and I am maintaining offices at the Wyatt Building in Washington.

Senator DIRKSEN. Are you a native Washingtonian?

Mr. FANELLI. No, sir, I am a native New Yorker, Senator, but I have been around here a long time.

Senator DIRKSEN. Is it Mangione?

Mr. MANGIONE. That is the correct pronunciation.

Senator DIRKSEN. Would you give your full name to the reporter?

Mr. MANGIONE. Jerre G. Mangione.

Senator DIRKSEN. And where do you reside?

Mr. MANGIONE. I reside in New York City at 36 East 65th Street, New York 21.

Senator DIRKSEN. Is that your legal residence?

Mr. MANGIONE. Yes, sir.

Senator DIRKSEN. Have you always lived there?

Mr. MANGIONE. No, sir, I moved there last June from Philadelphia.

Senator DIRKSEN. Were you born in Philadelphia?

Mr. MANGIONE. No. I lived in Philadelphia for ten years, and before Philadelphia, I lived in Washington for five years—I am going backwards now—and before Washington I lived in New York for about five years.

Senator DIRKSEN. If it is not too personal, how old are you now?

Mr. MANGIONE. Forty-four years old.

Senator DIRKSEN. So you were born in 1909.

Mr. MANGIONE. That is correct, March 20.

Mr. COHN. Mr. Mangione, are you the author of any books?

Mr. MANGIONE. Yes, sir, I am the author of three books—

Mr. COHN. What are the names?

Mr. MANGIONE. Under my own name. The first one was *Mount Allegro*.<sup>4</sup> Do you want the dates?

Mr. COHN. Approximate dates.

Mr. MANGIONE. Published January or February 1943.

The second book, a novel called *The Ship and the Flame*, published 1948.<sup>5</sup>

The third book, called *Reunion in Sicily*, published in 1950.<sup>6</sup>

Mr. COHN. Let me ask you this: Are you aware of the fact that your books are being used by the State Department Information Program?

Mr. MANGIONE. No, sir, I am not. Let me add this comment. When my third book came out, *Reunion in Sicily*, which was published by Houghton, Mifflin of Boston, which has New York offices, I remember one day inquiring from the sales manager how the sales were going, and Mr. McKee said, "Well, it is going pretty fair." The book, incidentally, had come out the week of the Korean War, so that kind of hurt the sales. He said, "We just got an order this morning from the State Department." I said, "How many copies," hoping he would say many, but he said, I think, six or ten, but I can't remember. This can be checked very easily.

Mr. COHN. Six or ten copies by the State Department?

Mr. MANGIONE. Yes.

Mr. COHN. So you have had that much notice that they were being used.

<sup>4</sup> Jerre Mangione, *Mount Allegro* (Boston: Houghton Mifflin, 1943).

<sup>5</sup> Jerre Mangione, *The Ship and the Flame* (New York: Current Books, 1948).

<sup>6</sup> Jerre Mangione, *Reunion in Sicily* (Boston: Houghton Mifflin, 1950).

Mr. MANGIONE. I don't know how the State Department used them. These books contain a great deal of information about Sicily after the war, and I should think that any group in the State Department that was interested in studying conditions in Italy would have wanted to refer to this book for information, certainly.

Mr. COHN. Have you ever been a Communist?

Mr. MANGIONE. I have never been a Communist, and I want to make that emphatic, either now or at any time or a hidden Communist, and I have never been under orders of the Communist party.

Mr. COHN. Have you ever attended a Communist party meeting?

Mr. MANGIONE. To the best of my knowledge I have never attended a Communist party meeting.

Mr. COHN. Do you have any doubt about it?

Mr. MANGIONE. No, I don't think I have any doubt about it, except I went to some meetings of the John Reed Club.

Mr. COHN. Wasn't that an official club of the Communist party?

Mr. MANGIONE. Not to my knowledge, no. It was a literary club. I found out much later that it was made up of a lot of people who had the reputation of being Communists. I went there as a young writer, sort of attracted by the glamor of hearing other writers talk, and the subjects when I was there were always literary. Proletariat literature was the great subject of the day. I don't know whether the senator recalls.

Mr. COHN. Has anybody ever stated in sworn testimony that you were a member of the Communist party?

Mr. MANGIONE. Yes. At a previous hearing. This is not exactly yes, so please let me explain it is a statement. At a subcommittee meeting in which I appeared as a witness last Friday, Senator Jenner's committee, presided over by Senator Welker—I think that is the right name—during the course of the meeting or of the interview, a man was brought in who claimed—a man I had never seen before—that I had attended fraction meetings in the offices of the *New Masses*, that he was a man who described himself as an old Communist who served from 1920 to 1937, and also described himself—

Mr. COHN. What was his name?

Mr. MANGIONE. Malkin, I think.

Mr. COHN. Maurice Malkin?

Mr. MANGIONE. Yes. He claimed that he went to one of these meetings where there were, he said, five or six people present, and he was working with the longshoremen at the time. I am repeating what he said. He noticed me at one of these meetings, and he said he asked the secretary there who was this fellow, and the secretary claimed that my name was Jerre Mangione, and that I was all right. First he said I was at three such meetings, and then he said I was at five such meetings, and he was asked what other people were present at the meetings. The only name I recognized was a fellow called Bill Gropper, who used to do political cartoons in the thirties.

Mr. COHN. Did you know Gropper was a Communist?

Mr. MANGIONE. No, I didn't. I had seen Gropper somewhere before.

Mr. COHN. Do you categorically deny Mr. Malkin's testimony?

Mr. MANGIONE. I do.

Mr. COHN. Were you ever at the offices of the *New Masses*?

Mr. MANGIONE. I probably was.

Mr. COHN. You say probably.

Mr. MANGIONE. I must have been because I reviewed some books for them so I may have gone by.

Mr. COHN. Was it possible to have written for *New Masses* without ever having been a Communist?

Mr. MANGIONE. Yes, I think so. Since I wrote for the *New Masses*, and I was not a Communist, I can say that. This is speculation, but I imagine if you go down the list of contributors you will find a lot of people who were not Communists who were writing for the *New Masses*.

Mr. COHN. *New Masses* was a Communist publication.

Mr. MANGIONE. I don't know whether it was technically a Communist publication or not. It certainly followed the Communist party line.

Mr. COHN. When you wrote for it, did you follow the Communist party line?

Mr. MANGIONE. No, sir. I wrote a review of *Fontamara* by Silone, which I think was an excellent book in the thirties, dealing with Italy.<sup>7</sup> The review was published but then it turned out that Silone was persona non grata with the Communist party, and some of the people came around and said I ought to write a different kind of review and I said, "That is nonsense; this is a book I like very much. I wrote the review and I stand by the review." I was expressing an opinion about the book. I was not a member of the party. I was not under its orders, and I didn't have to write what I was told.

Senator DIRKSEN. Does the *New Masses* pay for the reviews?

Mr. MANGIONE. No, you just got the book.

Mr. COHN. You were not paid by *New Masses*?

Mr. MANGIONE. No. I might add in connection with the Silone incident that at the time I was working in a publishing house as a publicity man, and reader and editorial man, and I thought so highly of Mr. Silone's book that after he published *Fontamara*, I was directly instrumental in seeing that his book of short stories, antifascist short stories, was published in this country.

Mr. COHN. Did you ever work for the United States government?

Mr. MANGIONE. Yes, sir.

Mr. COHN. In what capacity?

Mr. MANGIONE. I worked for the United States government in several capacities. If you want I will go down the list chronologically. I was interviewed in New York by a man who was looking for an information writer for the Resettlement Administration. His name was Max Gilfond.

Mr. COHN. Why do you not tell us what jobs you held first?

Mr. MANGIONE. I am sorry not to be more brief. Information writer for Resettlement Administration—I can't remember exact dates. These are the best of my recollection for about three months in Washington, D.C.

Mr. COHN. When?

<sup>7</sup> Ignazio Silone, *Fontamara* (New York: H. Smith & R. Haas, 1934).

Mr. MANGIONE. In 1937, spring.

Senator DIRKSEN. Was Dr. [Rexford] Tugwell then head of resettlement?

Mr. MANGIONE. No, he had left. The other day one of the senators reminded me that it must have been Baldwin who was at the head.

Senator DIRKSEN. C. B. Baldwin.

Mr. MANGIONE. That is right, but I did not work for Mr. Baldwin. I worked for Gilfond.

Then I worked for the Federal Writers Project.

Mr. COHN. During what period of time?

Mr. MANGIONE. From 1937 to the time it ceased to be a federal project, the beginning of 1939.

Mr. COHN. Do you know any people you thought were Communists connected with the Federal Workers Project?

Mr. MANGIONE. There were people on the project who had the reputation of being Communists.

Mr. COHN. Do you know Henry Osborne?

Mr. MANGIONE. Yes, he was my boss.

Mr. COHN. Did he have the reputation of being a Communist?

Mr. MANGIONE. No, he had the reputation of being an old radical.

Senator DIRKSEN. The writers project was a division of the old WPA, as I recall it.

Mr. MANGIONE. Yes, sir.

Senator DIRKSEN. Did you work in Washington or New York?

Mr. MANGIONE. I worked in Washington. I made frequent trips to New York. My work involved helping to get these books published so I talked to a lot of publishers and talked to sponsors and was sort of liaison man.

Senator DIRKSEN. What was the general nature of the work? Was it assembling the historical directives they had in Washington, or theatricals and dramas and plays?

Mr. MANGIONE. No. The writers project was then producing guide books, one for every state in the Union. These guide books consisted of the general essays on the various parts of the state, plus automobile tours and all kinds of tours. There was a book for each state in the Union, and also for some of the large cities.

About that time it was decided that the Government Printing Office was not equipped to publish and distribute these books because they had no distribution facilities and it was very costly for them to print up the books and there were publishers who were willing and eager to publish these books free of charge or a royalty which would be paid back to the federal government.

Senator DIRKSEN. Of course, they did a lot of work besides guide books as I recall.

Mr. MANGIONE. They did pamphlets. They did folklore studies. They got one out called "American Stuff."

Senator DIRKSEN. I recall that when I was on the other end of the Capitol that someone had authored a book called, *The Confessions of a Bellboy* that developed considerable currency that was under the Federal Writers Project.

Mr. MANGIONE. I don't know that. That seems rather astonishing to me.

Mr. SCHINE. Mr. Mangione, do you know where John Reed is buried now?

Mr. MANGIONE. I remember reading in the Columbia Encyclopedia yesterday that he is buried in the Kremlin.

Mr. COHN. This is the John Reed of which club you were a member.

Mr. MANGIONE. Yes. I read this just yesterday in New York City.

Mr. SCHINE. Do you know where he is buried in the Kremlin, or who he is buried next to?

Mr. MANGIONE. No, I do not.

Mr. SCHINE. Do you know now that there is or was any connection between the John Reed Club and the Communist party?

Mr. MANGIONE. I have heard that there was.

Mr. SCHINE. That there was?

Mr. MANGIONE. I have heard since that there was.

Mr. SCHINE. Have you heard that there is a connection between the John Reed Club and the Communist party?

Mr. MANGIONE. I heard that many years later.

Mr. SCHINE. They never had any discussions to that effect when you were in the club?

Mr. MANGIONE. No, sir. These meetings, incidentally, were public, most of them.

Mr. SCHINE. Did you know at that time who John Reed was?

Mr. MANGIONE. I just knew him as a man who wrote a book called *Ten Days that Shook the World*, which I still have not read.

Mr. SCHINE. Do you know how he spent the latter part of his life, or did you know how he spent the latter part of his life?

Mr. MANGIONE. No, I didn't.

Mr. SCHINE. You knew nothing about the man who the organization to which you belonged—

Mr. MANGIONE. I never belonged to it. I said I went to some meetings of it.

Mr. COHN. Didn't you in fact belong to it?

Mr. MANGIONE. No, I did not.

Mr. COHN. Were the meetings open to everybody?

Mr. MANGIONE. Yes.

Mr. COHN. Anybody could walk in?

Mr. MANGIONE. Yes, that is right.

Mr. COHN. How many people were usually at the meetings?

Mr. MANGIONE. Sometimes there would be forty people, sometimes there would be two hundred people, depending on who the star of the occasion was. The star of the occasion usually being some writer who just published a book and was willing to talk about it.

Mr. COHN. Did they advertise the meetings in the public press?

Mr. MANGIONE. I don't remember. They probably did.

Mr. SCHINE. Mr. Mangione, did they ever discuss communism at those meetings?

Mr. MANGIONE. No.

Mr. SCHINE. They never brought up the subject of the Soviet Union?

Mr. MANGIONE. They must have discussed—first of all, I want to say that all this happened around 1932 or 1933. This is not 1952, so if I don't remember certain details, I hope you don't think it is

bad faith, but simply because I can not remember accurately that far back. Sometimes I can't remember things even more recently.

Senator DIRKSEN. Do you have a recollection, Mr. Mangione, whether they solicited membership in the party at that meeting?

Mr. MANGIONE. No, I never saw anyone solicited for any membership nor was I nor do I remember paying money to anybody.

Mr. SCHINE. Mr. Mangione, did you ever read the Communist Manifesto?

Mr. MANGIONE. Yes, I did. I remember only one line about it.

Mr. SCHINE. Did you ever read the works of Lenin?

Mr. MANGIONE. No. I never read the works of Lenin. I never read Marx. I tried to read it, but I couldn't go into it.

Mr. SCHINE. Do you know who wrote the *Communist Manifesto*?

Mr. MANGIONE. It was Marx, wasn't it?

Mr. SCHINE. Do you recall the works of Marx ever being discussed at the John Reed meetings?

Mr. MANGIONE. No. There was a lot of talk about Marxian attitudes toward literature, a proletariat literature. That was the great emphasis in the days in the thirties.

Mr. SCHINE. Then they did talk about the theories of Karl Marx in those meetings?

Mr. MANGIONE. They talked about proletariat literature and they said that was Marxian. I had, I suppose, then, I thought I had—as a young man I probably thought I understood things much better than I did. I think when one is young you are more sure of things, you are quicker to think that you understand. Anyway, I heard the words. Looking back, now, they must have meant very little, but they seemed to mean something.

Mr. SCHINE. In those days, in the early thirties, when you were attending the John Reed meetings?

Mr. MANGIONE. I went to about six meetings.

Mr. SCHINE. Did you subscribe to the theories of Marx?

Mr. MANGIONE. No, I did not subscribe to the theories of Marx. I was interested in the John Reed meetings for two reasons. One was because I was very anxious to be a writer, and in fact had started immediately—while in college, I started a literary magazine, a very literary magazine, which was not concerned with political matters at all. The issue that got some national publicity was devoted entirely to Stephen Crane, an early realistic American writer who lived in the early part of the century and went to Syracuse University. I happened to discover some correspondence he had which was quite a coup.

Mr. SCHINE. Do you suspect now, Mr. Mangione, that there is something that is not good about the John Reed Society, that perhaps the John Reed Society is not dedicated to our form of government?

Mr. MANGIONE. I suspect that, and if I had to do it all over again, I certainly would not go to meetings of the John Reed Club. I would not do several things I did in the thirties.

Mr. SCHINE. May I ask you this, Mr. Mangione. When did you first meet Reed Harris?

Mr. MANGIONE. Reed Harris, I met him in the writers project. He was some kind of administrative assistant.

Mr. SCHINE. Which project?

Mr. MANGIONE. The Federal Writers Project in Washington.

Mr. SCHINE. Did you ever persuade him to join some organization?

Mr. MANGIONE. No, sir, no, never.

Mr. SCHINE. Were you in the League of American Writers?

Mr. MANGIONE. Yes. I was a member of that for a while until I decided that that was really a Communist front.

Mr. COHN. How long did it take you to decide that?

Mr. MANGIONE. It took me about a year and a half.

Mr. COHN. When did you join?

Mr. MANGIONE. I don't remember the exact date, but it must have been around 1936 or 1937. I can't remember.

Mr. SCHINE. Mr. Mangione, are you familiar with Reed Harris' career?

Mr. MANGIONE. Am I familiar with his what?

Mr. SCHINE. Career?

Mr. MANGIONE. I am only familiar with the fact that he was on the writers project at the time doing a lot of paper work.

Mr. SCHINE. You knew of his ideas over the years?

Mr. MANGIONE. No, sir. We never discussed them.

Mr. SCHINE. Did you know any of his ideas in the early thirties?

Mr. MANGIONE. No. I just had heard that he had written a book which had created quite a stir. I never read the book.

Mr. SCHINE. Do you know anything about the book?

Mr. MANGIONE. Only from what I read in the papers since his hearings.

Mr. SCHINE. Based on your understanding of what he wrote in that book, if you were to pick a man to be the first or the second person in charge of the International Information Administration, which is supposed to depict the American way of life, and promote understanding of our ideas and counter Communist propaganda, would you select Reed Harris as that man?

Mr. MANGIONE. I can't answer that yes or no. I would consider the fact that he wrote this book when he did, when he was young. I think people change. They undoubtedly do if they are any good. Whether they change for the better or worse depends on what kind of character they are. In the case of Reed Harris, I don't know whether he changed or not. I would be inclined to give him the benefit of the doubt, but I would investigate the facts.

Mr. SCHINE. You would probably want to have from him some tangible evidence that he had refuted his earlier beliefs, and that he felt that he had made mistakes?

Mr. MANGIONE. A man may refute his earlier beliefs to his wife and mother, but sometimes he doesn't get the opportunity or there is no avenue to refute his earlier beliefs.

Mr. SCHINE. Writing a book is a pretty good way of doing it.

Mr. MANGIONE. Yes, it is. Again I would say this. I know many, many writers, and I would say that I have found that many writers who wrote books—and I don't mean political books necessarily, say novels—when they were very young, are very embarrassed by them when they get older. I think that is natural. People change biologically and their mind changes.

Senator DIRKSEN. Is writing your principal business now?

Mr. MANGIONE. Yes. That is, I make a living by copy writing. I write books on the side. I lead a double life in that sense.

Senator DIRKSEN. What about pamphlets and short stories and essays; do you do some work in that field?

Mr. MANGIONE. No. I am not a good short story writer. I did sell a short story to *Esquire* a couple of years ago, but they have not run it yet.

Senator DIRKSEN. You were paid, but it was not printed?

Mr. MANGIONE. It is very annoying. I write short stories so seldom I like to see them in print when I do write them.

Senator DIRKSEN. Have you been given some idea of the basic purpose for the explorations of this committee?

Mr. MANGIONE. I saw an editorial, "McCarthy Targets Overseas Books."

Senator DIRKSEN. Did you get the nub of the purpose in which we are engaged just now?

Mr. MANGIONE. I know you have been having Voice of America hearings, and now according to this story you are going to talk about books in overseas libraries. As I understand the United States Information Service, that is not connected with the Voice of America.

Senator DIRKSEN. Yes, it is.

Mr. MANGIONE. It is?

Senator DIRKSEN. Let me brief you, because I think every witness is entitled to know basically what is at stake and it can be helpful to both the witness and to the committee.

Mr. MANGIONE. Yes.

Senator DIRKSEN. There is an overall International Information Administration, which carries on the propaganda program for the free ideas. That includes the motion pictures, the Voice of America, the library program, of which there are some 150 scattered around the world. They usually have a librarian there, and the people in that particular country can come in and freely run through the shelves and find what they want to read. The committee is of the opinion, and I think the opinion and conviction is well founded, that if we take taxpayers money and purchase books to be placed in those libraries, where they can reach people in an impressionable stage, and those books instead of selling the American idea and the free idea, sell exactly the opposite thing, it would certainly be a disservice to the people of the country, and could scarcely be justified as a sound investment of public funds.

Mr. MANGIONE. I agree with you, sir.

Senator DIRKSEN. I am glad to hear you say that. We have had a number on the stand this morning, and there will be others, some of whom have known affiliations with the Communist party, as, for instance, Earl Browder who was here this morning. There can be little doubt as to his identity with the party scheme, although Mr. Browder even refused to identify his own books this morning. But those books have been in these libraries, and that looks like anything but a good deal for the American people, particularly when young men are slugging it out over in Korea in the interest of what we think of as the free American system.

Mr. MANGIONE. Yes.

Senator DIRKSEN. So the purpose of the exploration has been, first, find the books that have been acquired with public funds, and to see what kind of gospel those books sell and then to nail it down. Involved, of course, is the future of this whole information program. Shall it continue? Shall it continue in a different direction? Shall it continue under other auspices? All those are merely collateral questions that must be resolved later.

The purpose in having you here was first to ascertain whether you were the author of books, whether those books were in these libraries, and what the general philosophic content of those books is.

Mr. MANGIONE. Fine. I might say I agree with the general tenor of that certainly. I think if I may express an opinion that the danger in a query like this is that we might give people a broad ammunition that is anti-American. That is, we might give the impression that we are afraid of ideas. I hope we are not. I agree with you that a book that is out and out Communist, that does not have the interest of this country at heart, should not appear in these libraries. As for my own books, I am very happy about my books, sir. I have written three books and they have been generally praised very highly by most of the press. My books are expressions about my feeling about my country and my family and my love of God. These books, I think, do a service, and I will be glad to go over each book with you, if you wish, and tell you briefly what they consist of.

Mr. SCHINE. Mr. Mangione, do you think that it is in the best interests of the country for our committee to try and ascertain if the maximum constructive use has been made of taxpayers funds appropriated for an information program, and to try to find out and pin down responsibility if we find that the maximum constructive use has not been made?

Mr. MANGIONE. That sounds like a very honest and legitimate purpose to me.

Mr. SCHINE. Mr. Mangione, do you think that our committee is representing the best interests of the American people if we seek to expose members of a conspiracy to overthrow our government by force and violence?

Mr. MANGIONE. I think that depends on your tactics. For instance, the other day when I was presented by a man who is a false witness, I didn't feel very good about these tactics.

Mr. SCHINE. You have witnessed our tactics here today.

Mr. MANGIONE. And I think they have been very good.

Mr. COHN. You told us you were a member of the League of American Writers. Were you on the advisory board of a publication known as *Direction*? I think that was a publication of this writers project.

Mr. MANGIONE. Yes, I had something to do with it. I think I did.

Mr. COHN. Did you regard that as a Communist publication?

Mr. MANGIONE. No, it was not a Communist publication.

Mr. COHN. Did you ever come to regard it as a Communist dominated publication at any time?

Mr. MANGIONE. We can not be talking about the same publication because the one I have in mind only came out once.

Mr. COHN. There was only one issue?

Mr. MANGIONE. Yes.

Mr. COHN. Was Reed Harris on the board of that, too, do you know?

Mr. MANGIONE. To the best of my recollection he was not, but I can't say for sure.

Mr. COHN. Do you know that has been cited by the Un-American Activities Committee as a Communist initiated and controlled publication?

Mr. MANGIONE. No.

Mr. COHN. That is a surprise to you?

Mr. MANGIONE. Yes. May I see this publication?

Mr. COHN. I don't have it here.

Mr. MANGIONE. I would like to make sure we are talking about the same publication, because I was interested in little magazines of all kinds in those days. I wrote an article on it for the *Literary Digest*. I may be getting it confused with some other publication. But I would like to see it.

Mr. COHN. I am sorry, I do not have it available.

Mr. MANGIONE. In that case I would withhold identifying it until I actually see it.

Mr. SCHINE. Could you produce the one you are familiar with for us?

Mr. MANGIONE. Which one is that?

Mr. COHN. *Direction*. Do you have a copy of that?

Mr. MANGIONE. I just remember vaguely this. There were so many publications that the writers project had things to do with. There was, for instance, one called *American Stuff*. About that time there were other publications I got interested in putting out writer project issues or special sections. It seems to me that there was a magazine called *Direction* which did that. So actually it was not a Federal Writers Project publication. That is why I would like to see it because then I could remember exactly what it was. I could tell you about *American Stuff*, and you can find that in the library. I can tell you it was published by Viking Press. I remember that collection very well.

Senator DIRKSEN. One other question, Mr. Mangione, and this is wholly speculative, and you can answer it or not, as you like. Do you not think it is a pretty fair assumption if, for instance, anybody in this country who had some identity with the Communist party or any of its fringes, was an author and his books showed up in a foreign library under American auspices, that Communists in those countries would be quick to ascertain the fact? Do you not believe that, as a matter of course, would be true?

Mr. MANGIONE. No, sir, I don't. May I explain why?

Senator DIRKSEN. Yes, please.

Mr. MANGIONE. For one thing, in the thirties during this atmosphere that interested a lot of young so-called idealists who finally realized that they were being taken over, those people may have joined the Communist party and done a lot of things they regretted since, and they may be writing books that are very good books and that people should read, and that are a service to our country in terms of the propaganda and the feeling of friendliness we want to create with other countries, not with Communists in other countries, but with the general population. So I don't think it is fair to condemn a man who had left-wing associations in the thirties, and

say that the books he writes in the forties or fifties are no good per se. I think each book must be read carefully. I think the reviews should be read, to see what the press thought of them, and a general opinion formed about each book. I think that is fair enough. Who is going to be the judge of all this, I don't know, except I think the literary editors of this country are pretty fair judges by and large. I think if you took a consensus, their opinion would be probably a good guide.

Senator DIRKSEN. Would you qualify that answer some on the basis of the age of the author of the book?

Mr. MANGIONE. The age of the author of the book?

Senator DIRKSEN. Yes.

Mr. MANGIONE. It depends on how old he was.

Senator DIRKSEN. Something that somebody did in his early twenties, let us say.

Mr. MANGIONE. In his early twenties. Some people mature a little more quickly than others. Sometimes it takes a little while longer for a person to mature. Some people in their twenties are reckless and irresponsible, and then they do mature slowly, but surely. Other people are born mature.

Senator DIRKSEN. But you would not make that answer, I suppose, in connection with books like those of Earl Browder that had a known objective, and that was——

Mr. MANGIONE. I don't think Earl Browder——

Mr. FANELLI. Let him finish.

Mr. MANGIONE. I am sorry.

Senator DIRKSEN. Books like that, that seek to hurl America along the Communist path, because that is the objective.

Mr. MANGIONE. I don't consider that good American propaganda.

Senator DIRKSEN. Now, one other question, Mr. Mangione. Do you regard this as a fair hearing on the basis of the responsibility the committee has to explore this, since it involves public funds and a public activity to persuade people behind the Iron Curtain and elsewhere of the merits of the free system?

Mr. MANGIONE. I think it could be a little more full. That is, I can only judge of my own personal experience. You have not inquired about my books. I don't know whether you gentlemen have read them. You don't know how they were received, what the press thought of them, how pro-American they were, and so on. I think these are important considerations in terms of me.

Senator DIRKSEN. Would you like to give us just a brief statement on that subject?

Mr. MANGIONE. I would love to.

Senator DIRKSEN. Very well.

Mr. MANGIONE. First of all, because I got some inkling of the fact that you were interested in the books overseas, and because I remember the conversations I had with Mr. Mackey about the fact that the State Department had bought some copies of the book, I have taken the liberty of bringing along my last book, which is *Reunion in Sicily* and here it is.

Mr. FANELLI. Could you spare a copy of that?

Mr. MANGIONE. Yes, I can. I could give that to the committee with my compliments.

Senator DIRKSEN. If we don't have a copy of that at the moment, we would be glad to have it.

Mr. MANGIONE. First of all, I have a scrapbook here—

Mr. FANELLI. Do not give the committee all of it, but just indicate its contents.

Mr. MANGIONE. This is a scrapbook. I am not going into all of it. I just want to make the general statement that most of these reviews are extremely favorable and indicate a very pro-American attitude. Some of the more politically minded reviewers indicate it is an anti-Communist book. Would you like to see the scrap book? It is my only copy.

Senator DIRKSEN. Would you like to leave it here and have it returned to you?

Mr. MANGIONE. It is my only copy, but if I could leave it here, and if you would indicate what you would like to have photostated, I could do that.

Senator DIRKSEN. Suppose you take it back with you and we will rest it on these statements that you have made and then we may want some particular things and will contact you.

Mr. MANGIONE. Yes. I would like to read into the record, if I may have the opportunity, a couple of paragraphs towards the end to sort of summarize the gist of the whole book and findings. It tried to be an objective book, as objective as I could make it. This is what it says:

In retrospect, the spiritualness I found among the Sicilians was the most surprising feature of my sojourn. I had sailed from New York with reluctance and foreboding, certain that the Sicilians would be warped and embittered by their encounter with the war. My fears left me as soon as I set foot on the island. I felt myself in the presence of an ancient wisdom that transcended all defeat. There was dissension, but the general atmosphere was clear and stimulating. The hangdog look I saw during fascism was gone; so were the strutting patriots and the fake nationalism. There was life galore—vibrant, warm and poignantly human.

Yet, the infections of fascism were still noticeable. There were specters of dictatorship, from the right and the left, ready to thrive on poverty and confusion. There was liberty, but only some of the people realized what a precious thing it was; not all of them knew how to use it. There were those who chose to interpret it as freedom from responsibility. Others were ready to exchange it for the promises of would-be tyrants. It was going to take time, years of experience with liberty, before the majority could absorb what the older people had almost forgotten and the younger ones never knew; the meaning and value of the democratic process. But in the meantime, one could easily be optimistic, for their strong faith in life and their deep-rooted talent to survive its worst onslaughts were as promising and impressive as a Sicilian spring.

I might add that both my parents were born in Sicily. I have hundreds of relatives there. I was able to make an accurate investigation. I reported my findings to Ambassador Dunn, because he was going down there, and I thought the information would be useful to him.

I have gotten a little depressed since because of the forthcoming election in Italy. This is an election that is as important as the general Italian election that happened in 1948. During that 1948 election, I made a short wave talk along with Mrs. John Cabot Lodge to the people of Italy urging them to vote the democratic ticket.

Mr. COHN. Mrs. John Davis Lodge.

Mr. MANGIONE. John Davis Lodge. I have a photograph that appeared in the *Philadelphia Inquirer*. This is 1948. There is a photograph of Mrs. Lodge broadcasting and me and some countess here

waiting to broadcast. This is described as a part of the anti-Communist message for voters in Italy. It simply describes that we are waiting our turn to speak. I think perhaps this ought to go in the record.

I am concerned about this election very seriously. It is coming soon. I think next month. I wish this committee or some other committee could do something about that, because that is going to have an effect that is worldwide. If the Communists win, it will be very unfortunate because there are many people in Sicily, in Italy and I think in Europe, but I know Italy pretty well, who call themselves Communists, who do not know the meaning of communism but are going along with Communists, which is bad, because it represents power for the Communist Party.

Senator DIRKSEN. Is Togliatti still the spiritual head?

Mr. MANGIONE. Yes.

Senator DIRKSEN. How about De Gaspari?

Mr. MANGIONE. He has been strong up to this point. He was able to survive the last election, I think mainly because the Americans got busy and wrote to their Italian relatives, "Look, we don't want left wing parties in there, and it would be nice if you voted the right way." I think these letters had a tremendous influence. Nothing has been done, as far as I can make out, to get anyone in Italy excited about the outcome of this election.

Senator DIRKSEN. Are you alarmed about the outcome in terms of Red strength at the polls everywhere in Italy or only in some areas like Milan and Turin?

Mr. MANGIONE. Having been away from Italy for five years I don't know specifically the different areas. I do know Sicily very well. I had predicted that the Communists would win in Sicily. I had made my prediction known to the American consulate there, and they sort of pooh-poohed it. The Communists in Sicily did win their election. It was a parliamentary election. It was not too important fortunately but it was a symptom of what was to come.

Senator DIRKSEN. It is a question for the voters there to decide.

Mr. MANGIONE. Yes, but the voters there have not had enough experience in democracy to know how to decide. The Italians have been kicked around so much, they have had twenty years of dictatorship included in that kicking around process, so their political judgment needs maturing. They are easily attracted by slogans and Communists are smart enough to use the slogans that answer their needs.

Senator DIRKSEN. I have one other question, Mr. Mangione. Where did you do your college work?

Mr. MANGIONE. Syracuse University. I graduated in 1931 with a bachelor of arts degree, English major.

Mr. COHN. Were you ever special assistant to the director of the Immigration and Naturalization Service?

Mr. MANGIONE. Let me correct that. I had the title of special assistant to the commissioner, and this was the period from 1942 to 1948 with the exception of a leave of absence for one year.

Mr. COHN. Under what circumstances?

Mr. MANGIONE. Under three commissioners.

Mr. COHN. Under what circumstances did you leave?

Mr. MANGIONE. I was hired to help publicize the 1940 alien registration program.

Mr. COHN. Was any loyalty question involved in your leaving?

Mr. MANGIONE. No, not at all.

Mr. COHN. Are you sure of that?

Mr. MANGIONE. Absolutely sure. In leaving what?

Mr. COHN. The immigration service.

Mr. MANGIONE. There have never been any loyalty questions about leaving any service. I am sure of that because at that time when I left the immigration service in 1948, which I did because I just married a Philadelphia girl and the immigration service was coming back to Washington and I wanted to stay in Philadelphia and get in private industry, I got a job with N. W. Ayer and Son, and I learned the job of copy writing. At the time I left I was under attack by the Hearst press. The Hearst press wanted to make it appear that I was fired. Commissioner Watson Miller made a statement that I was leaving for personal reasons.

Mr. COHN. There should have been some loyalty investigation.

Mr. MANGIONE. I was constantly investigated.

Mr. COHN. You concede that you were a member of certain organizations which turned out to be Communist friends, and you were in the League of American Writers, and you were in frequent attendance at the John Reed Club?

Mr. MANGIONE. No, I was not.

Mr. COHN. How many times did you attend the meetings of the John Reed Club?

Mr. MANGIONE. About five or six times.

Mr. COHN. That is a lot.

Mr. MANGIONE. Over a two year period.

Mr. COHN. That is a lot. I think once is a lot.

Mr. MANGIONE. I agree with you now. I do not think your summary was very accurate, Mr. Counsel.

Senator DIRKSEN. I think in all candor, Mr. Mangione, it ought to be said you have been indeed a very refreshing witness. I do not believe you have tried to conceal anything from the committee.

Mr. MANGIONE. No, sir, I have nothing to conceal. The reason I can speak honestly is because I speak with a clear conscience.

Mr. SCHINE. Mr. Chairman, I do not know whether it is within our province or not, but it appears that it might be constructive, since Mr. Mangione has written books on the subject and has thought about it a great deal, and is presently concerned about the election problem in Italy, if he has any ideas and would like to put them in writing and submit them to the Foreign Relations Committee, they would be very pleased to see them.

Senator DIRKSEN. I am afraid, however, that is not the province of this committee. That would be a voluntary contribution which Mr. Mangione would have to make.

Mr. MANGIONE. May I suggest if anyone knows anyone on that committee that they do read *Reunion in Sicily*. Although that was written of the period of 1947, I am sure the situation is the same in Sicily. That might be an indication of how the situation could best be met.

Mr. FANELLI. Senator, is the witness excused?

Senator DIRKSEN. Yes.

Mr. COHN. We will let you know if there is anything further.

Senator DIRKSEN. Mr. Hughes, will you come forward, please? Will you stand and be sworn?

Mr. HUGHES. Do you put your hand on the book?

Senator DIRKSEN. It is not necessary at this time.

Do you solemnly swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUGHES. I do.

**TESTIMONY OF LANGSTON HUGHES (ACCOMPANIED BY HIS  
COUNSEL, FRANK D. REEVES)**

Senator DIRKSEN. Will you identify yourself for the record, please?

Mr. REEVES. My name is Frank D. Reeves.

Senator DIRKSEN. You are here as counsel to Mr. Hughes?

Mr. REEVES. That is right.

Senator DIRKSEN. Where do you reside?

Mr. REEVES. In the District of Columbia, 1901 11th Street.

Senator DIRKSEN. And you are an attorney at law, and a member of the District Bar?

Mr. REEVES. That is correct.

Senator DIRKSEN. Has this always been your home?

Mr. REEVES. For the last twenty years or more.

Senator DIRKSEN. And you came originally from where?

Mr. REEVES. I was originally born in Montreal, Canada.

Senator DIRKSEN. So since that time you have been here?

Mr. REEVES. Yes, and I was naturalized.

Senator DIRKSEN. How long have you been a member of the District Bar?

Mr. REEVES. Since 1943.

Senator DIRKSEN. Mr. Hughes, will you state your name for the record?

Mr. HUGHES. James Langston Hughes.

Senator DIRKSEN. Do you always use that name, James Langston Hughes?

Mr. HUGHES. In writing I use simply Langston Hughes, but friends know both names.

Senator DIRKSEN. Where were you born?

Mr. HUGHES. Joplin, Missouri.

Senator DIRKSEN. If it is not too personal, how old are you now?

Mr. HUGHES. 51; I was born in 1902.

Senator DIRKSEN. Is Missouri still your home?

Mr. HUGHES. No, sir, New York City is my home.

Senator DIRKSEN. How long have you been residing in New York City?

Mr. HUGHES. I would say with any regularity for ten years, but I have been going in and out of New York for the last twenty-five.

Senator DIRKSEN. I assume you travel and lecture?

Mr. HUGHES. Yes, I do.

Senator DIRKSEN. From coast to coast?

Mr. HUGHES. In fact, I first came to New York in 1921, but off and on I have not lived there.

Senator DIRKSEN. You have a family?

Mr. HUGHES. No, sir, I don't.

Senator DIRKSEN. You are a single man?

Mr. HUGHES. I am.

Senator DIRKSEN. Have you done college work at any time?

Mr. HUGHES. I did a year at Columbia, and I finished my college at Lincoln University in Pennsylvania, and graduated in 1929.

Senator DIRKSEN. You hold a degree?

Mr. HUGHES. Yes, I do. I have also an honorary degree.

Senator DIRKSEN. Other than writing, have you had some kind of occupation or profession?

Mr. HUGHES. No, not with any regularity. I have been a lecturer, of course, all the forms of writing. I had one Hollywood job years ago.

Senator DIRKSEN. Are you attached to the faculty of any school or any university?

Mr. HUGHES. No, sir, I am not, but I was about to tell you that I have been a writer in residence at the University and at Chicago Laboratory School.

Senator DIRKSEN. Other than writing, you do not pursue any other occupation?

Mr. HUGHES. No, sir.

Senator DIRKSEN. That is your occupation?

Mr. HUGHES. Not with any degree of regularity, no.

Senator DIRKSEN. Have you ever worked for the government of the United States?

Mr. HUGHES. No, sir, not so far as I know, unless you would consider—I don't think one would consider USO appearances during the war—

Senator DIRKSEN. Did you appear for the USO?

Mr. HUGHES. Yes. Or writing scripts, but those were unpaid.

Senator DIRKSEN. Did you lecture for the USO?

Mr. HUGHES. I made a number of USO appearances, yes, sir.

Senator DIRKSEN. In this country or abroad?

Mr. HUGHES. In this country.

Senator DIRKSEN. And have you lectured abroad?

Mr. HUGHES. I have, but not under any government auspices.

Senator DIRKSEN. No, I mean privately.

Mr. HUGHES. Privately I have. I would not say professionally really, but I have been asked to give speeches abroad, or have spoken or read my poems, usually my poems.

Senator DIRKSEN. Now, with respect to your travels have you traveled recently in the last ten or fifteen years?

Mr. HUGHES. In the country?

Senator DIRKSEN. Outside.

Mr. HUGHES. No, sir. I have not been out of the country if my memory is correct since 1938 or 1939.

Senator DIRKSEN. Would you care to tell us whether you have traveled to the Soviet Union?

Mr. HUGHES. I have, sir, yes.

Senator DIRKSEN. For an extended period?

Mr. HUGHES. I was there for about a year.

Senator DIRKSEN. Just there, or were you lecturing or writing?

Mr. HUGHES. Well, I went to make a movie, or to work on a movie, rather. I should not say make, myself. I went to work on a picture. The picture was not made, and I remained as a writer and journalist, and came back around the world.

Senator DIRKSEN. That I assume was a Soviet-made movie.

Mr. HUGHES. It was to have been. It was not made.

Senator DIRKSEN. As I recall, all movies in the Soviet Union are government products, really, are they not?

Mr. HUGHES. This was a disputed point at that time. But I would think so. At any rate, the film company was called Meschrabpom Film.

Senator DIRKSEN. How do you spell that?

Mr. HUGHES. I am sorry I can not tell you. I don't read Russian.

Senator DIRKSEN. Your chief reputation lies in the fact that you were a poet. Would that be a correct statement?

Mr. HUGHES. I think in most people's minds that would be correct, although I have written many other kinds of things, yes, stories, and plays as well.

Senator DIRKSEN. This will be a direct question, of course, but first I think I should explain to you the purpose of this hearing, because I believe witnesses are entitled to know.

Mr. HUGHES. I would appreciate it, sir.

Senator DIRKSEN. You see, last year Congress appropriated \$86,000,000 against an original request of \$160,000,000 for the purpose of propagandizing the free world, the free system, and I think you get the general idea of what I mean, the American system. In that \$86,000,000, about \$21,000,000 was allocated to the Voice of America. Some was allocated to the motion pictures. Some funds were used.

Mr. HUGHES. I am sorry, I did not understand that.

Senator DIRKSEN. Motion pictures and the Voice of America, did you get that?

Mr. HUGHES. Yes, I did.

Senator DIRKSEN. And then some funds were used to purchase books to equip libraries in many sections of the world, the idea being, of course, that if people in those countries have access to American books, which allegedly delineate American objectives and American culture, that it would be useful in propagandizing our way of life and our system. The books of a number of authors have found their way into those libraries. They were purchased, of course. The question is whether or not they subserve the basic purpose we had in mind in the first instance when we appropriated money or whether they reveal a wholly contrary idea. There is some interest, of course, in your writings, because volumes of poems done by you have been acquired, and they have been placed in these libraries, ostensibly by the State Department, more particularly, I suppose I should say, by the International Information Administration. So we are exploring that matter, because it does involve the use of public funds to require that kind of literature, and the question is, is it an efficacious use of funds, does it go to the ideal that we assert, and can it logically be justified.

So we have encountered quite a number of your works, and I would be less than frank with you, sir, if I did not say that there is a question in the minds of the committee, and in the minds of a good many people, concerning the general objective of some of those poems, whether they strike a Communist, rather than an anti-Communist note.

So now at this point, I think probably Mr. Cohn, our counsel, has some questions he would like to ask.

Mr. HUGHES. Could I ask you, sir, which books of mine are in the libraries?

Senator DIRKSEN. They are here, and I think we will probably refer to a number of them.

Mr. HUGHES. I see, because I could not quite know otherwise.

Mr. COHN. We will refer you from time to time to specific ones. Let me ask you this: Have you ever been a Communist?

Mr. HUGHES. No, sir, I am not. I presume by that you mean a Communist party member, do you not?

Mr. COHN. I mean a Communist.

Mr. HUGHES. I would have to know what you mean by your definition of communism.

Mr. COHN. Have you ever been a believer in communism?

Mr. HUGHES. I have never been a believer in communism or a Communist party member.

Mr. COHN. Have you ever been a believer in socialism?

Mr. HUGHES. My feeling, sir, is that I have believed in the entire philosophies of the left at one period in my life, including socialism, communism, Trotskyism. All isms have influenced me one way or another, and I can not answer to any specific ism, because I am not familiar with the details of them and have not read their literature.

Mr. COHN. Are you not being a little modest?

Mr. HUGHES. No, sir.

Mr. COHN. You mean to say you have no familiarity with communism?

Mr. HUGHES. No, I would not say that, sir. I would simply say that I do not have a complete familiarity with it. I have not read the Marxist volumes. I have not read beyond the introduction of the Communist Manifesto.

Mr. COHN. Let us see if we can get an answer to this: Have you ever believed in communism?

Mr. HUGHES. Sir, I would have to know what you mean by communism to answer that truthfully, and honestly, and according to the oath.

Mr. COHN. Interpret it as broadly as you want. Have you ever believed that there is a form of government better than the one under which this country operates today?

Mr. HUGHES. No, sir, I have not.

Mr. COHN. You have never believed that?

Mr. HUGHES. No, sir.

Mr. COHN. That is your testimony under oath?

Mr. HUGHES. That is right.

Mr. COHN. Have you ever attended a Communist party meeting?

Mr. HUGHES. No, sir, I have not.

Mr. COHN. And if witnesses said you did, they would be lying?

Mr. HUGHES. They would be lying, and as far as I know, I was never to a Communist meeting.

Mr. COHN. Could it happen that you have been?

Mr. HUGHES. No, sir, it could not.

Mr. COHN. You would know if you were at a Communist party meeting?

Mr. HUGHES. Not necessarily.

Mr. COHN. Were you ever at any meeting about which you have doubt now that it might have been a Communist meeting?

Mr. HUGHES. That is why I would like a definition of what you mean by communism, and also what you would call a Communist party meeting. As you know, one may go to a Baptist church and not be a Baptist.

Mr. COHN. I did not ask you that. I asked you whether or not you ever attended a Communist party meeting. I did not say if you were a Communist party member attending a Communist party meeting. So your analogy about a Baptist does not hold water. The only question now is: Have you ever attended a Communist party meeting.

Mr. HUGHES. As far as I know, not. That is the best I can say.

Mr. COHN. Were there any meetings you now think might have been Communist party meetings?

Mr. HUGHES. No, sir, there are not.

Mr. COHN. Were you ever a believer in socialism?

Mr. HUGHES. Well, sir, I would say no. If you mean socialism by the volumes that are written about socialism and what it actually means, I couldn't tell you. I would say no.

Mr. COHN. You would say no?

Mr. HUGHES. Yes, sir, I would say no.

Mr. COHN. You want to tell us you have never been a believer in anything except our form of government?

Mr. HUGHES. As far as government goes, I have not.

Mr. COHN. What do you mean, as far as government goes?

Mr. HUGHES. I mean to answer to your question.

Mr. COHN. Do you have some reservation about it?

Mr. HUGHES. No, I have not. Would you repeat your question for me?

Mr. HUGHES. Let us do it this way. Did you write something called *Scottsboro Limited*?<sup>8</sup>

Mr. HUGHES. Yes, sir, I did.

Mr. COHN. Do you not think that follows the Communist party line very well?

Mr. HUGHES. It very well might have done so, although I am not sure I ever knew what the Communist party line was since it very often changed.

Mr. COHN. Mr. Hughes, when you wrote *Scottsboro Limited*, did you believe in what you were saying in that poem?

Mr. HUGHES. No, sir, not entirely, because I was writing in characters.

Mr. COHN. It is your testimony you were writing in character and what was said did not represent your beliefs?

Mr. HUGHES. No, sir. You cannot say I don't believe, if I may clarify my feeling about creative writing, that when you make a character, a Klansman, for example, as I have in some of my poems, I do not, sir.

Mr. COHN. How about *Scottsboro Limited*, specifically. Do you believe in the message carried by that work?

<sup>8</sup>Langston Hughes, *Scottsboro Limited: Four Poems and a Play in Verse* (New York: The Golden Stair Press, 1932).

Mr. HUGHES. I believe that some people did believe in it at the time.

Mr. COHN. Did you believe in it?

Mr. HUGHES. Did I?

Mr. COHN. Did you personally believe? You can answer that. Let me read you, "Rise, workers and fight, audience, fight, fight, fight, fight, the curtain is a great red flag rising to the strains of the Internationale." That is pretty plain, is it not?

Mr. HUGHES. Yes, indeed it is.

Mr. COHN. Did you believe in that message when you wrote, it?

Mr. HUGHES. No, sir.

Mr. COHN. You did not believe it?

Mr. HUGHES. No, sir.

Mr. COHN. It was contrary to your beliefs, is that right?

Mr. HUGHES. Sir, I don't think you can get a yes or no answer entirely to any literary question, so I give you—

Mr. COHN. I am trying, Mr. Hughes, because I think you have gone pretty far in some of these things, and I think you know pretty well what you did. When you wrote something called "Ballads of Lenin," did you believe that when you wrote it?

Mr. HUGHES. Believe what, sir?

Mr. COHN. Comrade Lenin of Russia speaks from marble:

On guard with the workers forever—  
The world is our room!

Mr. HUGHES. That is a poem. One can not state one believes every word of a poem.

Mr. COHN. I do not know what one can say. I am asking you specifically do you believe in the message carried and conveyed in this poem?

Mr. HUGHES. It would demand a great deal of discussion. You can not say yes or no.

Mr. COHN. You can not say yes or no?

Mr. HUGHES. One can if one wants to confuse one's opinions.

Mr. COHN. You wrote it, Mr. Hughes, and we would like an answer. This is very important. Did you or didn't you?

Mr. HUGHES. May I confer with counsel, sir?

Mr. COHN. Surely.

[Witness conferred with his counsel.]

Mr. HUGHES. Would you ask me the question again, sir?

[Question read by the reporter.]

Mr. HUGHES. My feeling is that one can not give a yes or no answer to such a question, because the Bible, for example, means many things to different people. That poem would mean many things to different people.

Mr. COHN. How did you intend it to mean?

Mr. HUGHES. I would have to read and study it and go back twenty years to tell you that.

Mr. COHN. Read it right now. Is it your testimony that you can not recall it?

Mr. HUGHES. I could not recite it to you, no, sir. I can not.

That, sir, in my opinion is a poem symbolizing what I felt at that time Lenin as a symbol might mean to workers in various parts of the world. The Spanish Negro in the cane fields, the Chinese in Shanghai, and so on.

Mr. COHN. Is that what it meant to you at that time?

Mr. HUGHES. That is what it meant to me at that time.

Senator DIRKSEN. Mr. Hughes, let me ask, are you familiar with an organization known as the International Union of Revolutionary Writers?

Mr. HUGHES. Yes. If I am not mistaken that was the international format to which the League of American Writers was affiliated.

Senator DIRKSEN. That was a Soviet organization, I take it, was it not?

Mr. HUGHES. My understanding of it, sir, was that it was an international organization.

Senator DIRKSEN. Did it have its headquarters in the Soviet Union?

Mr. HUGHES. That, sir, I am sorry I can't tell you. I don't know.

Senator DIRKSEN. This goes back now to 1940, and I am not un- mindful of course that one does not always have a pinpoint recol- lection of things that happened a long time ago. But in November 1940, you did recite one or more of your poems at the Hotel Vista de la Royal in Pasadena, California. Does that occur to you?

Mr. HUGHES. Could you tell me more about it?

Senator DIRKSEN. It was known as an author's luncheon, and it was the Vista de la Royal Hotel in Pasadena, California. On the same program was one George Palmer Putnam.

Mr. HUGHES. Yes, sir, I remember that. I was prevented from reading my poems there by a picket line thrown around the hotel by Amy Semple McPherson.

Senator DIRKSEN. They referred to you as author of the poem and member of the American section of Moscow's International Union of Revolutionary Writers. I presume you were familiar with the hand bill advertising it and that it also carried one of your poems?

Mr. HUGHES. Sir, I would be inclined to say perhaps that was the handbill put out by the picket line, rather than the sponsors of the luncheon.

Senator DIRKSEN. Is that statement correct that you were a part of the American section of Moscow's International Union of Revolu- tionary Writers?

Mr. HUGHES. I would say with the word "Moscow" eliminated it would be correct. I was a member of the League of American Writ- ers which was affiliated with the international.

Senator DIRKSEN. Was that an organization that required dues of its members? Did you pay dues at all?

Mr. HUGHES. I do not believe so, sir. I had been at that period in my life very often a kind of honorary member or a member that they just had.

Senator DIRKSEN. Are you fifty-three now?

Mr. HUGHES. I am fifty-one, sir. I was born in 1902.

Senator DIRKSEN. Fifty-one?

Mr. HUGHES. Yes, sir.

Senator DIRKSEN. That was thirteen years ago, so you were 38 years old, and that would doubtless be the age of discretion, cer- tainly, would it not?

Mr. HUGHES. Yes, I would say, sir, that I certainly was a member of the League of American Writers, but I have no recollection of paying any regular dues.

Senator DIRKSEN. You know, Mr. Hughes, I was very curious when you asked, "Do you put your hand on the book" in taking the oath, and the reason for the curiosity was that poem that you wrote at that time, and that you read at that meeting in Pasadena, and its title is "Goodbye, Christ".<sup>9</sup>

Mr. HUGHES. There are misstatements in your statement. The poem was not written at that time. It was not read at that meeting, and I can't quite remember what the other was, but I think you have three wrong statements.

Senator DIRKSEN. My statement may be an inaccuracy, but I have before me here the *Saturday Evening Post* for December 21, 1940, and here is what it recites: "Here is a photograph of a circular distributed here early in November."

Mr. HUGHES. Distributed where?

Senator DIRKSEN. In Pasadena. And in a box where it is boldly set out, and it is photographed, the first line is, "Attention Christians" with two exclamation points. "Be sure to attend the book and author luncheon at Vista de la Royal Hotel, Pasadena, California." Can you hear me?

Mr. HUGHES. Yes, I can hear you.

Senator DIRKSEN. "Friday, November 15, 1940, at 12:15 promptly. Hear the distinguished young Negro poet, Langston Hughes, author of the following poem, and member of the American Section of Moscow's International Union of Revolutionary Writers," and the title is "Goodbye, Christ."

Mr. HUGHES. Yes.

Senator DIRKSEN. The reason I was curious about your asking for the book on which to hold your hand and may I say, sir, from my familiarity with the Negro people for a long time that they are innately a very devout and religious people—this is the first paragraph of the poem:

Listen, Christ, you did all right in your day, I reckon  
But that day is gone now.  
They ghosted you up a swell story, too,  
And called it the Bible, but it is dead now.  
The popes and the preachers have made too much money from it. They have sold you to too many.

Do you think that Book is dead?

Mr. HUGHES. No, sir, I do not. That poem, like that handbill, is an ironical and satirical poem.

Senator DIRKSEN. It was not so accepted, I fancy, by the American people.

Mr. HUGHES. It was accepted by a large portion of them and some ministers and bishops understood the poem and defended it.

Senator DIRKSEN. I know many who accepted the words for what they seem to convey.

<sup>9</sup>In the public hearing on March 26, Senator McCarthy inserted the entire text of "Goodbye Christ" in the record and added: "As far as I know, this was not in any of the books purchased by the information program. This is merely included in the record on request, to show the type of thinking of Mr. Hughes at that time, the type of writings which were being purchased."

Mr. HUGHES. That is exactly what I meant to say in answer to the other gentleman's question, that poetry may mean many things to many people,

Senator DIRKSEN. We will put all of it in the record, of course, but I will read you the third stanza.

Goodbye, Christ Jesus, Lord of Jehovah,  
Beat it on away from here now  
Make way for a new guy with no religion at all,  
A real guy named Marx communism, Lenin Peasant, Stalin worker, me.

How do you think the average reader would take that?

Mr. HUGHES. Sir; the average reader is very likely to take poetry, if they take it at all, and they usually don't take it at all, they are very likely often not to understand it, sir. I have found it very difficult myself to understand a great many poems that one had to study in school. If you will permit me, I will explain that poem to you from my viewpoint.

Senator DIRKSEN. Of course, when all is said and done a poem like this must necessarily speak for itself, because notwithstanding what may have been in your mind, what inhibitions, whether you crossed your fingers on some of those words when you wrote them, its impact on the thinking of the people is finally what counts.

May I ask, do you write poetry merely for the amusement and the spiritual and emotional ecstasy that it develops, or do you write it for a purpose?

Mr. HUGHES. You write it out of your soul and you write it for your own individual feeling of expression.

First, sir, it does not come from yourself in the first place. It comes from something beyond oneself, in my opinion.

Senator DIRKSEN. You think this is a providential force?

Mr. HUGHES. There is something more than myself in the creation of everything that I do. I believe that is in every creation, sir.

Senator DIRKSEN. So you have no objective in writing poetry. It is not a message that you seek to convey to somebody? You just sit down and the rather ethereal thoughts suddenly come upon you?

Mr. HUGHES. I have often written poetry in that way, and there are on occasions times when I have a message that I wish to express directly and that I want to get to people.

Senator DIRKSEN. Do you know whether this poem was reprinted in quantities and used as propaganda leaflets by the Communist party?

Mr. HUGHES. No, sir, it was not. It was reprinted in quantities as far as I know, and used as a propaganda leaflet by the organizations of Gerald L. K. Smith and the organization of extreme anti-Negro forces in our country, and I have attempted to recall that poem. I have denied permission for its publication over the years. I have explained the poem for twenty-two years, I believe, or twenty years, in my writings in the press, and my talks as being a satirical poem, which I think a great pity that anyone should think of the Christian religion in those terms, and great pity that sometimes we have permitted the church to be disgraced by people who have used it as a racketeering force. That poem is merely the story of racketeering in religion and misuse of religion as might have been seen through the eyes at that time of a young Soviet citizen who felt very cocky and said to the whole world, "See what people

do for religion. We don't do that." I write a character piece sometimes as in a play. I sometimes have in a play a villain. I do not believe in that villain myself.

Senator DIRKSEN. Do you think that any twelve-year-old boy could misunderstand that language, "Goodbye Christ, beat it away from here now"?

Mr. HUGHES. You cannot take one line.

Senator DIRKSEN. We will read all of it.

Mr. HUGHES. If you read the twelve-year-old the whole poem, I hope he would be shocked into thinking about the real things of religion, because with some of my poems that is what I have tried to do, to shock people into thinking and finding the real meaning themselves. Certainly I have written many religious poems, many poems about Christ, and prayers and my own feeling is not what I believe you seem to think that poem as meaning.

Senator DIRKSEN. I do not want to be captious about it, and I want to be entirely fair, but it seems to me that this could mean only one thing to the person who read it.

Mr. HUGHES. I am sorry. There is a thousand interpretations of Shakespeare's Sonata.

Senator DIRKSEN. Was this ever set to music?

Mr. HUGHES. No.

Senator DIRKSEN. Do you know Paul Robeson?

Mr. HUGHES. Yes.

Senator DIRKSEN. Do you know him well?

Mr. HUGHES. No, sir, I do not, not at this period in our lives.

Mr. COHN. Did you ever know him well? You say "not at this period of my life." Was there ever a period in your life when you knew Paul Robeson well?

Mr. HUGHES. Before he became famous when we were all young in Harlem, I knew him fairly well, and at that time he was quite unknown and so was I. Since his rise to fame, I have not seen him very often.

Mr. COHN. Did you know he was a Communist when you knew him very well?

Mr. HUGHES. I would not be able to say if he ever was a Communist.

Mr. COHN. You still do not know he is a Communist?

Mr. HUGHES. I still do not.

Mr. COHN. Are you a little bit suspicious?

Mr. HUGHES. I don't know what you mean by suspicious.

Mr. SCHINE. Mr. Hughes, you are entitled to interpret your poems in any way you want to, and others will interpret your poems in the way they want to.

Mr. HUGHES. That is true.

Mr. SCHINE. I also should say that you should be entitled to consider the seriousness of not telling the truth before this committee.

Mr. HUGHES. I certainly do, sir. The truth in matters of opinion is as Anatole France said, like the spokes of a wheel, and my opinions are my own, sir.

Mr. SCHINE. Mr. Hughes, you know many witnesses come before a committee, and they are not guilty of a crime, and then to avoid embarrassment or for reasons that they may not understand themselves, they do not tell the truth. They are entitled to refuse to an-

swer on the grounds of self incrimination, but sometimes they do not take that privilege, and when they have left the room they are guilty of perjury. I think you should reconsider what you have said here today on matters of fact before you leave this room, because perjury is a very serious charge.

Mr. HUGHES. I am certainly aware of that, sir.

Mr. SCHINE. You do not wish to change any of your testimony?

Mr. HUGHES. No, sir, I do not.

Mr. COHN. Mr. Hughes, is it not a fact now that this poem here did represent your views and it could only mean one thing, that the "Ballads to Lenin" did represent your views? You have told us that all of these things did, that you have been a consistent supporter of Communist movements and you have been a consistent and un-deviating follower of the Communist party line up through and including recent times. Is that not a fact?

Mr. HUGHES. May I consult with counsel, sir?

Mr. COHN. Surely.

[Witness conferred with his counsel.]

Mr. COHN. Can you answer my question?

Mr. HUGHES. May I ask the chairman of the committee if it is possible to break that question down into specific and component parts?

Mr. COHN. Surely. I personally do not think it is necessary. You say you do not understand the question?

Mr. HUGHES. No, sir, I do not say I do not understand the question. It is not a question. It is a series of questions.

Mr. COHN. Let us do it this way: Is it not a fact that you have been a consistent follower of the Communist line?

Mr. HUGHES. No, sir, I have not.

Mr. COHN. Tell me in one respect in which you have differed from the Communist line up through 1949.

[Witness conferred with his counsel.]

Mr. COHN. Sir?

Mr. HUGHES. I am sorry, I have forgotten your last question.

Mr. COHN. The last question was, tell us one respect in which you differed from the Communist line through the year 1949.

Mr. HUGHES. Sir, I don't know what the Communist line was in 1949.

Mr. COHN. Did you know what it was when you came out and urged the election of the Communist party ticket in 1932?

Mr. HUGHES. No, sir, I did not know what it was.

Mr. COHN. Why did you come out and do it that way?

Mr. HUGHES. Just as a lot of people urged the election of the Democrats without knowing what the platform was.

Mr. COHN. Did you know what you were doing on February 7, 1949, when you gave a statement to the *Daily Worker* defending the Communist leaders on trial and saying that the Negro people too are being tried?

Mr. HUGHES. Could I see that statement, sir?

Mr. COHN. Did you ever hear of something called the *Chicago Defender*?

Mr. HUGHES. I certainly have.

Mr. COHN. Did you write in the *Chicago Defender*, "If the 12 Communists are sent to jail, in a little while they will send Ne-

groes to jail simply for being Negroes, and to concentration camps just for being colored.”

Mr. HUGHES. Could I see it?

Mr. COHN. My first question is did you say it?

Mr. HUGHES. I don't know.

Mr. COHN. Could you have said it? That is a pretty serious thing to say in 1949. Do you have to look at it to see if you said something in that substance?

Mr. HUGHES. I would have to see it to see if it is in context.

Mr. COHN. I do not have the original. I will get the original for you.

Mr. HUGHES. Please do.

Mr. COHN. In the meantime I would like to know whether or not you can tell us whether you said it.

Mr. HUGHES. I do not know whether I said it or not.

Mr. COHN. Did you believe in 1949, “If the 12 Communists are sent to jail, in a little while they will send Negroes to jail simply for being Negroes, and to concentration camps just for being colored.” Did you say that?

Mr. HUGHES. The——

Mr. COHN. Did you believe that? That is the question.

Mr. HUGHES. May I consult with counsel, sir?

[Witness conferred with his counsel.]

Mr. COHN. Did you believe that? That is the question.

Mr. HUGHES. Sir, I do not believe in any kind of literary work or writing you can take a thing out of context. Whatever the whole thing is, if I wrote it, of course I did write it.

Senator DIRKSEN. Mr. Hughes, let us get at it this way. Have you at any time contributed to the *Chicago Defender*?

Mr. HUGHES. I do a regular weekly column for it.

Senator DIRKSEN. Is it likely that you did a column or article for the *Defender* in 1949?

Mr. HUGHES. I have been writing for the *Defender* for, I think, sir, about ten years.

Senator DIRKSEN. So it is fair to assume that in 1949 which is within the last ten years, you probably did one or more articles for the *Chicago Defender*.

Mr. HUGHES. Yes, I did more nearly fifty-two articles a year.

Senator DIRKSEN. Do you have in mind a reasonably clear picture of that period when the Communist leaders were on trial in New York? You remember generally, I think, do you not, that they were on trial?

Mr. HUGHES. I remember some of them were on trial according to the papers, yes.

Senator DIRKSEN. If you know it no other way, you probably saw it in the newspapers, like I did, because I did not attend the trial, but there was every reason to believe from the press dispatches they were on trial. So you probably had an idea they were on trial. You probably had an idea they were on trial back in 1949.

Mr. HUGHES. Well, sir, I can not say the date or time, but if you are correct, I would say yes.

Senator DIRKSEN. That is four years ago.

Mr. HUGHES. Yes.

Senator DIRKSEN. Surely you would have a recollection as to whether or not you made some written comment in the course of your column on the Communist trial.

Mr. HUGHES. I very well may have, sir.

Senator DIRKSEN. Would you not be reasonably sure whether you had?

Mr. HUGHES. I would like to see the column, sir.

Senator DIRKSEN. You would have to see the column?

Mr. HUGHES. I would have to see the column and the context, because if it is quoted from some other source, it very well may be misquoted.

Mr. COHN. Let us forget what that says. I want to know whether that was your belief.

Mr. HUGHES. I have forgotten now what you read.

Mr. COHN. What I asked was if the quote that appears in the *Daily Worker* from your article is a statement by you, "If the 12 Communists are sent to jail, in a little while they will send Negroes to jail simply for being Negroes, and to concentration camps just for being colored." Did you believe that in February 1949?

Mr. HUGHES. Sir, the entire article and the entire column—

Mr. COHN. Mr. Hughes, did you believe that in 1949? I think you are fencing.

Mr. HUGHES. One can not take anything out of context.

Mr. COHN. Mr. Hughes, did you believe that in 1949? I think the chairman is very patient. I think you are being evasive and unresponsive when being confronted with things which you yourself wrote. I want to know, did you believe that statement in 1949.

Mr. HUGHES. May I consult with counsel?

[Witness conferred with his counsel.]

Mr. HUGHES. If that statement is from a column of mine, as I presume it probably is, I would say that I believed the entire context of the article in which it is included.

Mr. COHN. Do you believe that today?

Mr. HUGHES. No, sir, I would not necessarily believe that today.

Mr. COHN. When did you change your views?

Mr. HUGHES. It is impossible to say exactly when one changes one's views. One's views change gradually, sir.

Mr. COHN. Have you ever written any attack on communism?

Mr. HUGHES. I don't believe I have ever written anything you would consider an attack, no, sir.

Mr. COHN. Are you pretty much familiar with the investigations of the un-American activities by congressional committees?

Mr. HUGHES. No, I am not, sir.

Mr. COHN. You have written on the subject, have you not?

Mr. HUGHES. I have written from what I have read in the newspapers.

Mr. COHN. Pardon me?

Mr. HUGHES. Yes, I have written as other columnists do from what one reads in a newspaper.

Mr. COHN. You wrote something that is called, "When One Sees Red."

Mr. HUGHES. I remember.

Mr. COHN. Do you remember that part called "When One Sees Red"? I think it appeared first in the *New Republic*.

Mr. HUGHES. No, sir, you are wrong.

Mr. COHN. Yes?

Mr. HUGHES. It would have appeared first in the *Chicago Defender*.

Mr. COHN. You do recall the piece?

Mr. HUGHES. I recall the title. If you read a portion of the piece—

Mr. COHN. Do you remember writing this: “Good morning, Revolution. You are the very best friend I ever had. We are going to pal around together from now on.”

Mr. HUGHES. Yes, sir, I wrote that.

Mr. COHN. Did you write this, “Put one more ‘S’ in the USA to make it Soviet. The USA when we take control will be the USSA then.”<sup>10</sup>

Mr. HUGHES. Yes, sir, I wrote that.

Mr. COHN. Were you kidding when you wrote those things? What did you mean by those?

Mr. HUGHES. Would you like me to give you an interpretation of that?

Mr. COHN. I would be most interested.

Mr. HUGHES. Very well. Will you permit me to give a full interpretation of it?

Mr. COHN. Surely.

Mr. HUGHES. All right, sir. To give a full interpretation of any piece of literary work one has to consider not only when and how it was written, but what brought it into being. The emotional and physical background that brought it into being. I, sir, was born in Joplin, Missouri. I was born a Negro. From my very earliest childhood memories, I have encountered very serious and very hurtful problems. One of my earliest childhood memories was going to the movies in Lawrence, Kansas, where we lived, and there was one motion picture theater, and I went every afternoon. It was a nickel-odeon, and I had a nickel to go. One afternoon I put my nickel down and the woman pushed it back and she pointed to a sign. I was about seven years old.

Mr. COHN. I do not want to interrupt you. I do want to say this. I want to save time here. I want to concede very fully that you encounter oppression and denial of civil rights. Let us assume that, because I assume that will be the substance of what you are about to say. To save us time, what we are interested in determining for our purpose is this: Was the solution to which you turned that of the Soviet form of government?

Mr. HUGHES. Sir, you said you would permit me to give a full explanation.

Mr. COHN. I was wondering if we could not save a little time because I want to concede the background which you wrote it from was the background you wanted to describe.

Mr. HUGHES. I would much rather preserve my reputation and freedom than to save time.

Mr. COHN. Take as long as you want.

<sup>10</sup>In the public hearing on March 26, Senator McClellan asked: “May I inquire of counsel if you are quoting from books or works of the author that are now in the library?”

Mr. COHN. No; this one poem I quoted, ‘Put Another ‘S’ in the USA to make it Soviet’ is as far as we know not in any poems in the collection in the information centers.”

Mr. HUGHES. The woman pushed my nickel back and pointed to a sign beside the box office, and the sign said something, in effect, "Colored not admitted." It was my first revelation of the division between the American citizens. My playmates who were white and lived next door to me could go to that motion picture and I could not. I could never see a film in Lawrence again, and I lived there until I was twelve years old.

When I went to school, in the first grade, my mother moved to Topeka for a time, and my mother worked for a lawyer, and she lived in the downtown area, and she got ready for school, being a working woman naturally she wanted to send me to the nearest school, and she did, and they would not let me go to the school. There were no Negro children there. My mother had to take days off from her work, had to appeal to her employer, had to go to the school board and finally after the school year had been open for some time she got me into the school.

I had been there only a few days when the teacher made unpleasant and derogatory remarks about Negroes and specifically seemingly pointed at myself. Some of my schoolmates stoned me on the way home from school. One of my schoolmates (and there were no other Negro children in the school), a little white boy, protected me, and I have never in all my writing career or speech career as far as I know said anything to create a division among humans, or between whites or Negroes, because I have never forgotten this kid standing up for me against these other first graders who were throwing stones at me. I have always felt from that time on—I guess that was the basis of it—that there are white people in America who can be your friend, and will be your friend, and who do not believe in the kind of things that almost every Negro who has lived in our country has experienced.

I do not want to take forever to tell you these things, but I must tell you that they have very deep emotional roots in one's childhood and one's beginnings, as I am sure any psychologist or teacher of English or student of poetry will say about any creative work. My father and my mother were not together. When I got old enough to learn why they were not together, again it was the same thing. My father as a young man, shortly after I was born, I understand, had studied law by correspondence. He applied for permission to take examination for the Bar in the state of Oklahoma where he lived, and they would not permit him. A Negro evidently could not take the examinations. You could not be a lawyer at that time in the state of Oklahoma. You know that has continued in a way right up to recent years, that we had to go all the way to the Supreme Court to get Negroes into the law school a few years ago to study law. Now you may study law and be a lawyer there.

Those things affected my childhood very much and very deeply. I missed my father. I learned he had gone away to another country because of prejudice here. When I finally met my father at the age of seventeen, he said "Never go back to the United States. Negroes are fools to live there." I didn't believe that. I loved the country I had grown up in. I was concerned with the problems and I came back here. My father wanted me to live in Mexico or Europe. I did not. I went here and went to college and my whole career has been built here.

As I grew older, I went to high school in Cleveland. I went to a high school in a very poor neighborhood and we were very poor people. My friends and associates were very poor children and many of them were of European parentage or some of them had been brought here in steerage themselves from Europe, and many of these students in the Central High School in Cleveland—and this story is told, sir, parts of it, not as fully as I want to tell you some things, in my book, *The Deep Sea*, my autobiography<sup>11</sup>—in the Central High School, many of these pupils began to tell me about Eugene Debs, and about the new nation and the new republic. Some of them brought them to school. I became interested in whatever I could read that Debs had written or spoken about. I never read the theoretical books of socialism or communism or the Democratic or Republican party for that matter, and so my interest in whatever may be considered political has been non-theoretical, non-sectarian, and largely really emotional and born out of my own need to find some kind of way of thinking about this whole problem of myself, segregated, poor, colored, and how I can adjust to this whole problem of helping to build America when sometimes I can not even get into a school or a lecture or a concert or in the south go to the library and get a book out. So that has been a very large portion of the emotional background of my work, which I think is essential to one's understanding.

When I was graduated from high school, I went to live with my father for a time in Mexico, and in my father I encountered the kind of bitterness, the kind of utter psychiatric, you might say, frustration that has been expressed in some Negro novels, not in those I have written myself, I don't believe. A man who was rabidly anti-American, anti-United States. I did not sympathize with that viewpoint on the part of my own father. My feeling was this is my country, I want to live here. I want to come back here I want to make my country as beautiful as I can, as wonderful a country as I can, because I love it myself. So I went back after a year in Mexico, and I went to Columbia.

At Columbia University in New York City where I had never been before, but where I heard there was practically no prejudice, by that time wanting to be a writer and having published some papers in Negro magazines in this country, I applied for a position on the staff of the *Spectator* newspaper, I think that they had at the time, and I think they still do. Our freshman counselor told us the various things that freshmen could apply for and do on the Columbia campus, and I wanted to do some kind of writing, and I went to the newspaper office. I was the only Negro young man or woman in the group. I can not help but think that it was due to colored prejudice that of all the kinds of assignments, and there were various assignments, sports, theater, classroom activities, debating, of all the various assignments they could pick out to assign me to cover was society news. They very well knew I could not go to dances and parties, being colored, and therefore I could bring no news, and after a short period, I was counted out of the *Spectator* group at my college.

<sup>11</sup> Langston Hughes, *The Big Sea* (New York: Alfred A. Knopf, 1940).

When I went into the dormitory my first day there, I had a reservation for a room. It had been paid for in the dormitory—the correct portion was paid for—it was Fardley Hall. I was not given the room. They could not find the reservation. I had to take all of that day and a large portion of the next one to get into the dormitory. I was told later I was the first to achieve that. In other words simple little things like getting a room in a university in our country, one has to devote extraordinary methods even to this day in our country in some parts.

I am thinking of the early 1920's. I did not stay at Columbia longer than a year due in part to the various kinds of little racial prejudices that I encountered.

Senator DIRKSEN. I think, Mr. Hughes, that would be adequate emotional background.

Mr. HUGHES. No, sir, that would not explain it all, how I arrive at the point that Mr. Cohn, I believe, has asked me about.

Mr. COHN. Could you make it briefer, please?

Senator DIRKSEN. Do you think we need more background to tell what you meant by USSA?

Mr. HUGHES. I think you do, sir. Because a critical work goes out of a very deep background, it does not come in a moment. I am perfectly willing to come back and give it to you later, if you are tired.

Mr. COHN. No, we will sit here as long as you want to go on. But you are missing the point completely. What we want to determine is whether or not you meant those words when you said them.

Mr. HUGHES. Sir, whether or not I meant them depends on what they came from and out of.

Mr. COHN. Did you desire to make the United States Soviet, put one more "S" in the USA to make it Soviet. "The USA, when we take control, will be the USSA."

Mr. HUGHES. When I left Columbia, I had no money. I had \$13.

Mr. COHN. Did you mean those words when you spoke them? We know the background. I want to know now, did you mean the words when you spoke them? I am not saying you should not have meant them. I am asking you—

Mr. HUGHES. Yes, sir, and you gave me the permission to give the background.

Senator DIRKSEN. That answers the question.

Mr. HUGHES. I did not say "Yes" to your question. I said you gave me the chance to give you the background to the point.

Senator DIRKSEN. We have had enough background.

Mr. COHN. Would you tell us whether or not you meant those words?

Mr. HUGHES. What words, sir?

Mr. COHN. "Put one more 'S' in the USA to make it Soviet. The USA, when we take control, will be USSA then."

Mr. HUGHES. Will you read me the whole poem?

Mr. COHN. I do not have the whole poem. Do you claim these words are out of context?

Mr. HUGHES. It is a portion of a poem.

Mr. COHN. Do you claim that these words distort the meaning?

Mr. HUGHES. That is a portion of a poem and a bar of music out of context does not give you the idea of the whole thing.

Mr. COHN. At any time in your life did you desire to make the United States of America Soviet?

Mr. HUGHES. Not by violent means, sir.

Mr. COHN. By any means.

Mr. HUGHES. By the power of the ballot, I thought it might be a possibility at one time.

Mr. COHN. Did you want to do it? Did you desire that by the ballot, not by violent means? Would you give us a yes or no answer to that?

Mr. Hughes, you say you have changed your views. You say you no longer feel the way you did in 1949 when you made that statement in defense of the Communist leaders, and said the things we read you. Will you give us some evidence of that and be frank with this committee?

Mr. HUGHES. Evidence of what, sir?

Mr. COHN. Will you be frank with this committee and give us some straightforward answers? Did you ever in your life desire the Soviet form of government over here? That is a very simple question, Mr. Hughes, for a man who wrote the things you did, and we have just started.

Mr. HUGHES. You asked me about the poem, and I would like to hear it all.

Mr. COHN. I would like to know right now whether you ever desired the Soviet form of government in this country, and I would like it answered.

Mr. HUGHES. Would you permit me to think about it?

Mr. COHN. Pardon me? Mr. Hughes, you have belonged to a list of Communist organizations a mile long. You have urged the election to public office of official candidates of the Communist party. You have signed statements to the effect that the purge trials in the Soviet Union were justified and sound and democratic. You have signed statements denying that the Soviet Union is totalitarian. You have defended the current leaders of the Communist party. You have written poems which are an invitation to revolution. You have called for the setting up of a Soviet government in this country. You have been named in statements before us as a Communist, and a member of the Communist party.

Mr. Hughes, you can surely tell us simply whether or not you ever desired the Soviet form of government in this country.

Mr. HUGHES. Yes, I did.

Mr. COHN. The answer is yes. I think if you were a little more candid with some of these things, we would get along a little better, because I think I know enough about the subject so I am not going to sit here for six days and be kidded along. I will be very much impressed if you would give us a lot of straightforward answers. It would save us a lot of time. I know you do not want to waste it any more than we do. We know every man is entitled to his views and opinions. We are trying to find out which of these works should be used in the State Department in its information program.

In the course of finding that out, we want to know whether you ever desired the Soviet form of government in this country. I believe you have said just a minute ago your answer to that is yes, is that right?

Mr. HUGHES. I did desire it, and would desire—

Mr. COHN. That is an answer. That is what we want. I believe your statement before was that you desired it, but not by violent means, is that right?

Mr. HUGHES. Yes, sir. That would be correct.

Mr. COHN. What did you mean when you said “Good morning, Revolution, you are the very best friend I ever had. We are going to pal around together from now on.”

Does not revolution imply violent means?

Mr. HUGHES. Not necessarily, sir. I think it means a change like the industrial revolution.

Mr. COHN. That is an answer. When you used the word “revolution” you were using it in a very broad sense, and meaning a change, is that right?

Mr. HUGHES. That is right, sir.

Mr. COHN. When did you stop desiring the Soviet form of government for this country? When did you come to the conclusion that was not the solution.

Mr. HUGHES. As I grew older, at that point I think I was about twenty years old, possibly, I began to see not only an increasing awareness of the seriousness of our racial situation in America on the part of many people—

Mr. COHN. Could you fix a time for us?

Mr. HUGHES. Sir?

Mr. COHN. Could you fix an approximate time? You cannot tell the exact date, or maybe not even the exact year, but can you fix the approximate time when you changed your view?

Mr. HUGHES. Yes. When I began to see social progress accelerating itself more rapidly, Supreme Court decisions, FEPC.

Mr. COHN. About when was that?

Mr. HUGHES. I would say certainly about the early 1940s and from that point on.

Mr. COHN. What were your views in 1949 when you said, “If the 12 Communists are sent to jail, in a little while they will send Negroes to jail simply for being Negroes and to concentration camps just for being colored.” You have told us you do not feel that way today. When did you change that particular view?

Mr. HUGHES. You asked two questions, sir. That view point I think grew out of what I had read about Germany, how they began with the Communists, and they went on to Jews, and they went on to Negroes, and we had Hitlerism, and that has been a general feeling on the part of some people.

Mr. COHN. You say you changed, that view. When did you change that view. This was February 1949. You say you do not feel that way today.

Mr. HUGHES. The view that Negroes may be sent to jail if Communists are?

Mr. COHN. Yes. As a consequence of the conviction of the Communist party leaders. In other words, a chain set off by the conviction of the Communist party leaders.

Mr. HUGHES. Well, it has not happened as yet, and therefore my hope is and my belief is that we can keep it from happening.

Mr. COHN. Mr. Hughes, this is very important now that we have had witnesses down here under oath: Are you sure that you were never a member of the Communist party?

Mr. HUGHES. No, sir.

Mr. COHN. Have you ever attended a Communist party meeting? I ask this again because perjury is a very serious crime.

Mr. HUGHES. Not to my knowledge.

Mr. COHN. Have you ever knowingly participated in any Communist party activities?

Mr. HUGHES. Just a moment, please.

Mr. COHN. Surely.

[Witness conferred with his counsel.]

Mr. HUGHES. Could you be specific about the activity?

Mr. COHN. No.

Mr. HUGHES. No.

Mr. COHN. I asked you a question. I would like an answer. Could we have the question read?

[Question read by the reporter.]

Mr. HUGHES. Not to my knowledge in any activities that were exclusively and solely and wholly Communist party activities, no, sir.

Mr. COHN. Let me ask you this before we leave this point. During that period of time, say up to the 1940s when you thought the Soviet form of government was desirable, until you came to change your views, you say, because you saw progress was being made under our form of government, do you think it is a wise thing for the State Department Information Program, trying to carry a true picture of the American way of life, to use your early writings, such as this "Ballad to Lenin" and the Scottsboro thing, and the curtain in the form of the red flag, and the singing of the Internationale, to use that in the information centers of foreign countries, and put on the shelves for people, who expect to get a view of American life, to read today?

Mr. HUGHES. I doubt very much, sir, they are there.

Mr. COHN. I am telling you for a fact they are there. Do you think it is a good thing to have them there?

Mr. HUGHES. I would think, sir, that it would be a good thing for anyone to know all about the literature of any country written in all forms so they can really judge it.

Mr. COHN. You changed the views you expressed then. Are you particularly proud of the views you expressed then?

Mr. HUGHES. The word "proud" disturbs me because one cannot go back and change anything one has done in the past.

Mr. COHN. I think one can admit one was wrong.

Mr. HUGHES. One can admit one was wrong. One can say "I think differently now."

Mr. COHN. Saying as you do that you think differently now, and have been candid about that, do you think that those of your works which should be used are those representing this period prior to your change of views? Do you think that is helpful to this country?

Mr. HUGHES. The works which you have named, sir, are not very representative of my literary career.

Mr. COHN. Without fencing, do you think if you were going to make a selection of works to give a true picture of American way

of life, would you place in there the Scottsboro thing and this poem, "Ballad to Lenin"?

Mr. HUGHES. If I were a librarian doing it, I would place in there—

Mr. COHN. I am not talking about a librarian. This is not done by librarians. This is done under a specific program of the State Department to give people in foreign countries a true view as to the American way of life, and the objectives we seek to achieve in this country.

Mr. HUGHES. Yes, sir. They certainly should have a view of the objectives we seek racially, and therefore they should know something about the—

Mr. COHN. Mr. Hughes, we are not talking on the same plane at all. Certainly they might have a view as to what we seek racially and all that. But the question is, should they have poems which call for the Soviet form of government, poems which idealize Lenin, a poem which calls for everybody to get up and sing the Internationale?

Mr. HUGHES. Yes, sir, I think they should, because it indicates freedom of press in our country, which is a thing we are proud of.

Mr. COHN. I do not think you understand it at all. Those are not in there to indicate freedom of the press in our country. Those are in there because people in those countries depend on what is given to them for an accurate picture of the objectives which this country seeks to achieve in its fight against Communists.

Mr. HUGHES. Yes. You want them to know we have freedom of the press.

Mr. COHN. No. These poems are not in there to illustrate the fact we have freedom of press. They are put in there as part of a program to show the objectives of this country, and to show our beliefs in the fight against communism. Do you think something which calls for an espousal of the Soviet form of government aids us in fighting communism? Think before you answer that question, Mr. Hughes.

Mr. HUGHES. I have answered your first question, have I not? The other one has been answered, yes, indicating freedom of press. My answer would be yes.

Mr. COHN. You think it is a good thing.

Mr. HUGHES. Yes, to show we have a very wide range of opinion in our country, yes, I do.

Mr. COHN. We have an awful lot of your writings we want to go over. Just let me ask you about this one thing here. You are concerned about minority rights in this country, is that right?

Mr. HUGHES. Yes, I am.

Mr. COHN. You are concerned about the rights of Jews as well as the rights of Negroes?

Mr. HUGHES. Yes.

Mr. COHN. Did you write a poem called "Hard Luck"? "When hard luck overtakes you, nothing to offer, nothing for you to do, When hard luck overtakes you, nothing to offer, nothing to do, Gather up your fine clothes and sell them to the Jew." Did you write that?

Mr. HUGHES. Yes.

Mr. COHN. Do you think that is respectful of the rights of the minority known as the Jews?

Mr. HUGHES. Yes, sir, I do.

Mr. COHN. In what respect?

Mr. HUGHES. Because in common parlance among a certain poorer class of Negroes—at least when that poem was written—on a Monday morning when they were broke and had to pawn something, it was a part of the slang with no disrespect meant on their part certainly, to say, “I will take my coat to Uncle or my clock to the Jew,” and the racial connotation was not disrespectful there.

Mr. COHN. As much concern as you have on the rights of Negroes, do you think this is a good poem to have in foreign information centers?

Mr. HUGHES. I think the title of the book is bad. I think the poem is a good poem to have anywhere.<sup>12</sup>

Mr. COHN. How about the poem, “Goodbye to Christ,” that is a good poem to have anywhere?

Mr. HUGHES. Yes, sir, from my interpretation.

Mr. COHN. How about the book, “Put One “S” in USA?” Do you think that is a good book against communism?

Mr. HUGHES. Yes, because I think people would see it is absurd.

Mr. COHN. You do not think you are a Communist today?

Mr. HUGHES. No, sir, I am not.

Mr. COHN. When did you stop being a Soviet believer?

Mr. REEVES. That is like the question, “When did you stop beating your wife?”

Mr. COHN. Do you want to testify?

Mr. REEVES. No, I don't.

Mr. COHN. Under the rules of the committee, the witness can consult with you, but you are not here to testify, because if you were, you would have to be sworn and give testimony. Mr. Hughes is free to consult with you—and the chairman can correct me if I am wrong—the rule of the committee is that the witness is free to consult with you any time he wishes, but you are not here to give testimony.

Mr. REEVES. May I ask a question of the chairman?

Mr. COHN. Certainly.

Mr. REEVES. My only concern was that the rapid fire process of these questions frequently does not even permit of an answer, and that particular question, as a lawyer, is of the type that in a rapid fire of questioning—as I said, I am interested in protecting the rights of my client—it may very well be he might not have the opportunity in that series to answer.

Mr. COHN. If the questions are given too rapidly, I suggest, Mr. Chairman, that he turn to his counsel and his counsel can advise him, and the witness can tell us that I am going too fast, and “I did not understand the question” and we will stop. But I do not think counsel ought to testify.

Mr. HUGHES. May I say if we agree on the principle of communism as meaning the Communist party, I will answer once and for all I have never been a member of the Communist party.

<sup>12</sup>Langston Hughes, *Fine Clothes to the Jews* (New York: Alfred A. Knopf, 1927).

Mr. COHN. Have you ever been a Communist without having formally joined the party?

Mr. HUGHES. No, sir, I have not.

Mr. COHN. Do you think it is possible to desire the Soviet form of government in this country and not be a Communist?

Mr. HUGHES. Yes, sir, I do.

Mr. COHN. How do you make the distinction?

Mr. HUGHES. That requires of course a definition of Communist, and my definition of it is the Communist party.

Mr. COHN. I am saying disregard the formal membership in the Communist party. I am talking about a change in our form of government, and a substitution of the form of government that is in the Soviet Union, the Soviet form of government.

Mr. HUGHES. Your question was how can one believe that and not be a Communist, and we have to agree upon what you mean by Communist.

Mr. COHN. You have said it is possible. Now, you tell me what a Communist means to you.

Mr. HUGHES. A Communist means to me a member of the Communist party who accepts the discipline of the Communist party and follows the various changes of party line.

Mr. COHN. Good. Now, you take my definition of a Communist as one who is a believer in communism, a believer in the Soviet form of government, and tell me whether or not you have ever been a Communist.

Mr. HUGHES. A believer in the Soviet form of government?

Mr. COHN. Yes, sir.

Mr. HUGHES. For the Soviets or for whom?

Mr. COHN. A believer in the Soviet form of government for everybody.

Mr. HUGHES. From my point it doesn't matter what the form of government is if the rights of the minorities and the poor people are respected, and if they have a chance to advance equally—

Mr. COHN. What I want to know is this: You have conceded here that you desired the Soviet form of government in this country.

Mr. HUGHES. Not desire, sir.

Mr. COHN. That you have desired the Soviet form of government.

Mr. HUGHES. Yes, sir.

Mr. COHN. Was that not your testimony here?

Mr. HUGHES. In the past, yes, sir.

Mr. COHN. I think you said up to the early 1940s. I want to know how it is possible to desire the Soviet form of government and not believe in communism?

Mr. HUGHES. One can desire a Christian world and not be a Baptist or Catholic.

Mr. COHN. You were a non-Communist who nevertheless desired the Soviet form of government for this country?

Mr. HUGHES. That is right, sir.

Mr. COHN. In what respect did you not believe in communism during that period that you desired a Soviet form of government for this country?

Mr. HUGHES. In several respects, sir.

Mr. COHN. What?

Mr. HUGHES. I will again answer your question, if I may have the time to answer it, in my own way.

Mr. COHN. I think you might just outline to us briefly point by point the points of difference between you and communism at the period of time when you wanted a Soviet government in the United States.

Mr. HUGHES. Again I repeat, sir, that communism to me did not mean the rule book or *Manifesto* or the laws of the Soviet Union, which I have never read, and my knowledge of it certainly came possibly from very shallow sources, largely from reading magazines and newspapers. My disagreement with what I read about them, which is in force now, too, and has been since I began to think about it at all seriously, maybe twelve or more years ago, or fifteen years ago, or even longer than that, to tell the truth, has been first that the literary artist or an artist of any kind cannot accept outside discipline in regard to his work or outside force or suggestions and my understanding was that Communist party writers accepted the dictates of the party in regard to their work.

Mr. COHN. Under the Soviet form of government, is not that true? You will agree that as to the Soviet form of government as it existed in the Soviet Union at the time you wrote this, the Communist party was certainly in control?

Mr. HUGHES. The Communist party was in control and that is one point I would disagree with the Communist party.

Mr. COHN. In other words, when you desired the Soviet form of government in this country, you desired it with certain modifications?

Mr. HUGHES. With many modifications.

Mr. COHN. You express that in any place in writing?

Mr. HUGHES. I have not finished your question.

Mr. COHN. I want to know whether you have expressed that in writing.

Mr. HUGHES. You said in different ways.

Mr. COHN. You have given the first way. Have you expressed in writing any place your disagreement with the Soviet form of government as to that one point which you just made?

Mr. HUGHES. Of that I can not be sure. I have certainly expressed it verbally.

Mr. COHN. To whom?

Mr. HUGHES. Ivy Litvinov.

Mr. COHN. To whom?

Mr. HUGHES. To Mrs. Litvinov in Russia. We had a lot of arguments.

Mr. COHN. I do not think the Litvinovs are available. To anybody in the United States?

Mr. HUGHES. My relatives who heard me talk on the subject.

Mr. COHN. You have not written anything on it?

Mr. HUGHES. I may have. I would have to search and see.

Mr. COHN. Will you go to point two?

Mr. HUGHES. You do not desire me to answer other points where I disagree?

Mr. COHN. I have just asked you that.

Mr. HUGHES. Yes. I gathered from shortly after I returned from the Soviet Union and therefore was a bit more interested in what

the actual programs for the Negro in America of the Communist party was that they had a program for the self determination of the Black Belt. As nearly as I could ever understand it, it meant a separate Negro state or states. I did not agree with that, and have in all my writing, as far as I know, if you take it in its entire context and each piece as a whole, urged and suggested the complete unification of the Negro people with all the other people in America. So I never went along with that program.

Mr. COHN. Point three.

Mr. HUGHES. Yes. I am getting up to it.

Mr. COHN. Very well.

Mr. HUGHES. I don't suppose this is part of the Communist party program, but the Communist party press, that is, the *Masses* and the more literary portions of the press that I read rather intensively at one time in my life, had a way of attacking Negro leadership, and also a way at one period of attacking the church in general, both Negro and white, and I did not and have never gone along with those attacks on Negro leaders of prominence, and I have never myself repeated them or taken part in them, and I have opposed them at times, and have written very favorably myself about people under attack sometimes by the party press.

Mr. COHN. While they were under attack?

Mr. HUGHES. While they were under attack. I have also written any number of poems and articles expressing sympathy and interest and encouragement to religious groups and to religion in general with which many people more left than myself have disagreed with, and asked me, "Why do you write about the church, and write poems, 'At the Feet of Jesus,' sung by Marian Anderson, at the time they were antireligious."

Mr. COHN. Would you call this poem, "Goodbye Christ" a sympathetic dealing with religion?

Mr. HUGHES. Yes, I would. I could site other poems but I think that is sufficient to show you that I could not over a long period of years, and never agree with some of the presumed main points of what I understand to have been Communist party programs.

Mr. COHN. Do you not think that a reasonable person reading this poem, "Goodbye Christ" would not share your interpretation of it?

Mr. HUGHES. Sir, a poem may be interpreted in many ways and many people have not understood that poem, and many people have chosen not to understand it deliberately to sell it to foment race discord and hatred.

Mr. SCHINE. Mr. Hughes, I think it is only fair to reemphasize to you the danger that you face if you do not tell the truth to this committee, and to ask you to reconsider as to whether you wish to change any of your testimony here. Do you wish to change it?

Mr. HUGHES. No, sir, I do not. I have never been a member of the Communist party, and I wish so to state under oath.

Mr. SCHINE. I am not just talking about that testimony. I am talking about your entire testimony before this committee.

Mr. HUGHES. May I consult with counsel, sir?

[Witness conferred with his counsel.]

Mr. HUGHES. The truth of the matter is, sir, that the rapidity with which I have been questioned, I don't fully recollect every-

thing that I might have said here. If a complete review of the testimony were given me, it might be possible that I would want to change or correct some.

Mr. SCHINE. Let me ask you a question. Will you give the committee at this time the names of some Communist party member whom you know?

Mr. HUGHES. I do not know anyone to be a member of the Communist party, sir. I have never seen anyone's party card.

Mr. SCHINE. You have never talked with anyone who is a member of the Communist party?

Mr. HUGHES. I wouldn't say that. I say I do not know who is a Communist party—

Mr. SCHINE. You are quite sure of that?

Mr. HUGHES. Yes, I am quite sure of that, sir.

Mr. SCHINE. Do you think Mrs. Litvinov is a member of the Communist party?

Mr. HUGHES. I rather think she was not from what they said about her in Moscow.

Mr. SCHINE. What about Mr. Litvinov?

Mr. HUGHES. I think perhaps he was.

Mr. SCHINE. Did you talk with him?

Mr. HUGHES. No, I did not. I never met him.

Mr. SCHINE. You were in Russia?

Mr. HUGHES. I was in Russia.

Mr. SCHINE. And you do not think that you talked to any members of the Communist party while you were in Russia?

Mr. HUGHES. I would certainly think I must have, but I do not ask people even in Russia whether they are.

Mr. SCHINE. Do you not think it is important when you are asked a question concerning your conversations with Communist party members that you try to be accurate?

Mr. HUGHES. I am trying to be as accurate as I know how, sir. May I consult with counsel?

Mr. SCHINE. Certainly.

Senator DIRKSEN. Mr. Hughes, I think we will suspend for the evening, and could you oblige by returning at 10:15 on Thursday morning? The hearing will be an open public hearing.

Mr. HUGHES. Would you tell me, sir, about expenses?

Senator DIRKSEN. About expenses?

Mr. HUGHES. Yes, sir. They are covered by the committee while I am here?

Senator DIRKSEN. Under the rule the transportation is paid and there is an allowance of \$9 a day while you are here.

Mr. HUGHES. From whom do I get it here?

Senator DIRKSEN. From the Treasury.

The committee will be in recess until 2:00 p.m. tomorrow.

[Thereupon at 5:10 p.m., a recess was taken until Wednesday, March 25, 1953, at 2:00 p.m.]

## STATE DEPARTMENT INFORMATION PROGRAM—INFORMATION CENTERS

[EDITOR'S NOTE.—Mary Van Kleeck (1883–1972) was a prominent sociologist and prolific author. A graduate of Smith College with a law degree from St. Lawrence University, she was director of industrial studies at the Russell Sage Foundation from 1909 until her retirement in 1948. She was not called to testify in public session.

Author and editor Edwin Seaver (1900–1987) returned to testify in public on March 26, 1953. In his memoir, *So Far So Good* (Westport, Conn.: Lawrence Hill & Company, 1986), Seaver identified himself as a “fellow traveler” during the 1930s. He had written book reviews for the *Daily Worker* and the *New Masses*, and had briefly edited *Soviet Russia Today*, but had never joined the Communist party. He drifted away from radical politics when he was offered a better paying job with the Book-of-the-Month Club. However, he was forced to resign that position in 1947, when his name was identified with groups on the attorney general’s list of subversive organizations. He then joined the publishing house of Little, Brown. Fearful that he would lose that job as well if he testified in public, Seaver asked that his employer not be identified. At the televised public hearing, he was asked if he would have his book, *The Company*, which he wrote in 1929, in an American library overseas. Seaver said no. “All I wanted was to make my getaway without mentioning Little, Brown, or any other names,” he later wrote. “I consoled myself with the thought that I wasn’t implicating anyone, I wasn’t betraying anyone, I wasn’t harming anybody but myself, and I could live with that.” Although he kept his job, Seaver was accused of having been a “cooperative witness” who had “repudiated” his own book. “I said such talk was nonsense, that if they had read the book they must have seen there was nothing to repudiate. But no matter how much I rejected the imputation of my holier-than-thou friends, or how small I chose to think my fault was, I felt the fault was there, that it has been motivated by ignoble fear, and I have suffered in the recognition of this.”]

WEDNESDAY, MARCH 25, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 5:30 p.m. in room 357 of the Senate Office Building, Senator Henry M. Jackson, presiding.

Present: Senator Henry M. Jackson, Democrat, Washington.

Present also: Roy Cohn, chief counsel.

Senator JACKSON. Will you rise and be sworn, please?

Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Miss VAN KLEECK. I do.

Mr. COHN. May we have your full name, please?

**TESTIMONY OF MARY VAN KLEECK (ACCOMPANIED BY HER  
COUNSEL, LEONARD B. BOUDIN)**

Miss VAN KLEECK. Mary Van Kleeck, K-l-e-e-c-k, New York.

Mr. COHN. For the record, Mr. Chairman, the counsel is Leonard B. Boudin of New York.

Mr. BOUDIN. Could I know the senator's name?

Senator JACKSON. Senator Jackson of Washington.

Mr. BOUDIN. Thank you.

Senator JACKSON. You understand you have the right to confer with the witness, and the witness has the right to confer with counsel. Counsel is not permitted to testify. But, of course, you have the right to advise your client of her constitutional rights and any other matter that relate to your assignment as her attorney.

Mr. COHN. Now, Miss Van Kleeck, you are the author of a book called *Rulers of America*?<sup>13</sup>

Miss VAN KLEECK. No. I never wrote a book like that.

Mr. COHN. Have you ever written any books?

Miss VAN KLEECK. I have written quite a number of books published by Russell Sage Foundation, almost all of them, and one by a commercial publisher.

Mr. COHN. Did you ever write one published by International Publishers?

Miss VAN KLEECK. Never.

Mr. COHN. You are sure of that?

Miss VAN KLEECK. Unless it is without my knowledge that it was published.

Mr. COHN. You say they were published by Russell Sage Foundation?

Miss VAN KLEECK. Russell Sage Foundation published my studies of labor relations, and Covici-Friede published one book of mine in 1936. They all dealt with labor relations.

Mr. COHN. Now, when was the last book that you wrote?

Miss VAN KLEECK. The last was 1944, under the title *Technology and Livelihood*, a study of the impact of technology on productivity and living standards in the United States published by Russell Sage Foundation.

Mr. COHN. Now, have you ever been a Communist?

Miss VAN KLEECK. No.

Mr. COHN. Have you ever been a party member?

Miss VAN KLEECK. No.

Mr. COHN. Have you ever been pro-Communist?

Miss VAN KLEECK. Mr. Chairman, I must know what the definition of communism is.

Mr. COHN. Maybe I can clarify that for you. Have you ever been a believer in socialism? I think that is clear.

Senator JACKSON. You mean with reference to the books used in the library?

Mr. COHN. I might say that a number of the books written by this lady are in use in the State Department now, books dealing with technology and labor problems, and so on and so forth.

Senator JACKSON. The question that concerned me was whether she had a belief in democratic socialism or Marxism, advocating force and violence.

<sup>13</sup> Anna Rochester, *Rulers of America: A Study of Finance Capital* (New York, International Publishers, 1936). Rochester's name later appeared on a list of prospective witnesses, but she did not testify. See "McCarthy issues call for 10 authors," *Baltimore Sun*, June 28, 1953.

Mr. COHN. She has already said she was not a Communist and not a Communist party member.

I was now interested to know whether she preferred socialism to our present form of government.

Senator JACKSON. Why do you not just state your beliefs? I do not see that it is going to do any harm.

Miss VAN KLEECK, May I do the following. I want to state that my studies are studies of specific situations; nothing to do with political economic systems. They are studies of the coal miners in this country, a study of the company union, the Colorado Fuel and Iron Company. My work with the Russell Sage Foundation was entirely limited to the United States. There is nothing in my books about socialism. I am not a Socialist. I have never been a member of the Socialist party.

Senator JACKSON. And you are not now and never have been a member of the Communist party?

Miss VAN KLEECK. True. I have never been a member of the Communist party.

Senator JACKSON. Have you ever advocated the aims of the Communist party as we know it, which involve, as you know, the overthrow of the government by force and violence?

Miss VAN KLEECK. As we know the definition given by Mr. Budenz, decidedly not.

Mr. COHN. Now, one of the aims of communism, of course, is the substitution of socialism for our form of government, and I would like to know if you ever have believed in that.

Have you ever believed in the substitution of socialism for our form of government?

[Mr. Boudin confers with Miss Van Kleeck.]

Mr. COHN. We will withdraw the question.

Senator JACKSON. We may want to ask you about that later.

Mr. COHN. I cannot ask anything more, Mr. Chairman.

Senator JACKSON. Let me ask you: Have you belonged to any Communist front organizations, so listed by the attorney general? I mean, you are an intelligent lady. You would know whether you were in any Communist front organizations, and I want to be fair with you. It may be that you may have been in an organization that was not a Communist front at the time you joined, and it may later have become one. Can you tell the committee just exactly what your membership has been with reference to any such organization?

Miss VAN KLEECK. You see, what one means by Communist front organization—

Senator JACKSON. Listed by the attorney general of the United States.

Miss VAN KLEECK. Anything on the attorney general's list?

Senator JACKSON. Yes.

Miss VAN KLEECK. I belonged to the National Council on American-Soviet Friendship. I do not now belong to it.

Senator JACKSON. When did you join?

Miss VAN KLEECK. That is not a membership organization. I became a member of the board of directors.

Mr. COHN. You are on the board of directors?

Miss VAN KLEECK. No, I have said I am no longer on the board of directors. I was on the board of directors of the National Council.

Senator JACKSON. When did you get affiliated with that organization?

Miss VAN KLEECK. I can't remember the date. I am sorry.

Senator JACKSON. Can you tell the year, about?

Miss VAN KLEECK. But it is in a recent period, in a very recent period. I think probably since the war; I think 1945. There is a special legal situation of that National Council before the Supreme Court, which I do not wish to go into technically, but which has a bearing on whether that is a subversive organization from the point of view of the attorney general. And I think that is important, because it affected my relationship to it.

Senator JACKSON. Let me ask you: Could you supply to the committee in an affidavit form a statement as to when you joined and became affiliated with—what is the name of it?

Miss VAN KLEECK. The National Council on American-Soviet Friendship.

Senator JACKSON. And if you are no longer a member of or affiliated with that organization, state when you left, and why, and what you did while you were a member of it.

Miss VAN KLEECK. Certainly.

The objection is to calling it a Communist front organization. You see, any organization, if I may informally say this—any organization I ever joined, I joined on specific issues growing out of my own research. I am a sociologist. I have been so for forty-eight years, intensively studying industrial relations, labor relations, for the Russell Sage Foundation, until 1948, when I retired.

Mr. COHN. When did you withdraw from the National Council for American-Soviet Friendship? What year?

Miss VAN KLEECK. I thought I was just told that I might put this in an affidavit. It was in the course of the last summer, I should say.

Mr. COHN. Were you a member of it after—

Miss VAN KLEECK. My membership had nothing to do with the question; only with my own program, that I didn't wish to continue that activity.

Mr. COHN. You mean the fact that it was listed by the attorney general as a Communist front did not influence you in resigning? Maybe I did not understand you.

Senator JACKSON. Is that right?

Miss VAN KLEECK. I suppose it is right. Yes. I said there was a Supreme Court decision on this subject, which decidedly influences one, because the Supreme Court did not confirm. There was a case before the Supreme Court on appeal from the court of appeals. I can't give you the technicality. I am not a lawyer, anyway. But it very decidedly influenced anyone connected with the National Council, that the listing by the attorney general had not been justified. And therefore, you can see my hesitation in answering the question that way.

Mr. COHN. That was not directed at the merits of the case involving the National Council. That was directed at the procedure followed by the attorney general in all cases.

Miss VAN KLEECK. No, specifically the National Council.

Mr. COHN. But it did not pass on the merits of whether the National Council was or was not Communist.

Miss VAN KLEECK. It handed back to the lower court for passing on the substantive question, but it would naturally affect those of us who believed that there was no basis for listing it on the attorney general's list.

Mr. COHN. Now, are there any other organizations listed by the attorney general—

Miss VAN KLEECK. That I belong to? I do not.

Mr. COHN. You have never belonged to any? Is that right?

Miss VAN KLEECK. Now, I want to say this. I don't know that I know the attorney general's whole list. I have belonged to organizations, many of them, in my life, in a long career. I would rather say I do not recall any at this moment, excepting one or two others, possibly, that were listed. But I think this is so inexact on my part.

Senator JACKSON. Well, just be truthful.

Miss VAN KLEECK. I am. I am completely truthful.

Senator JACKSON. Just tell what you know, about any affiliation you might have had. Possibly a list can be obtained, and you could go over it.

Mr. COHN. Do you know Elizabeth Gurley Flynn?

Miss VAN KLEECK. Yes. Certainly. Anyone in labor relations would know her.

Mr. COHN. When did you last see Miss Flynn?

Miss VAN KLEECK. That is a hard question, Mr. Chairman.

Senator JACKSON. Well, approximately. Recently?

Miss VAN KLEECK. Not very recently, I believe.

Senator JACKSON. In the last year?

Miss VAN KLEECK. I don't think so.

Mr. COHN. Prior to her going on trial for conspiracy to teach and advocate overthrow of the government?

Miss VAN KLEECK. When you use the word "seen," I think I saw her in the distance at a meeting. I have not talked with Elizabeth Gurley Flynn.

Mr. COHN. What meeting was that?

Miss VAN KLEECK. It may have been one of the meetings in New York.

Senator JACKSON. What kind of a meeting?

Miss VAN KLEECK. I really do not remember.

Mr. COHN. Well, do you customarily attend meetings at which a member of the national committee of the Communist party is present?

Miss VAN KLEECK. Certainly not customarily. I am not a member of the Communist party. I do not customarily attend meetings—

Senator JACKSON. Well, have you attended Communist meetings, although you are not a member?

Miss VAN KLEECK. The meeting—it is general public meetings I have attended. I don't think I have ever in my life attended a meeting of the Communist party.

Senator JACKSON. You never attended a closed meeting?

Miss VAN KLEECK. No, nor an open meeting organized by the Communist party.

Mr. COHN. At what general public meeting did you see Elizabeth Gurley Flynn in the last year? That would interest me very much.

Senator JACKSON. Would that be a meeting to raise funds for the defense of witnesses?

Miss VAN KLEECK. I am trying to be exact. I think I probably saw her in the distance at a meeting under the auspices of the Committee to Defend Smith Act Victims, which was a general meeting organized by a general committee.

Mr. COHN. Well, that committee was Communist dominated, wasn't it?

Miss VAN KLEECK. Not that I know of.

Senator JACKSON. Well, who was on the committee?

Miss VAN KLEECK. I am not a member of the committee.

Senator JACKSON. I understand, but—

Miss VAN KLEECK. I don't know the membership of the committee.

Senator JACKSON. I mean, you have had a lot of experience in your forty-eight years as a sociologist and writer, and can you not pretty much tell when something is framed up by the Communists as a meeting, although it is not called a Communist meeting?

Miss VAN KLEECK. Mr. Chairman, I don't consider that a meeting of this kind was framed up by the Communists. There are very many people interested in this trial procedure, and I am very sure that there are persons who have been connected—I am not a member of that Committee to Defend Smith Act Victims. I don't know their membership. But they called a meeting, and I attended the meeting.

Mr. COHN. Have you given any money to that committee?

Miss VAN KLEECK. No, I haven't.

Mr. COHN. Have you ever contributed any money to the defense of the Communist leaders?

Miss VAN KLEECK. No, I never have.

Mr. COHN. Have you ever contributed any money to any Communist front organization?

Miss VAN KLEECK. Again I ask you: What is a Communist front organization?

Mr. COHN. An organization listed by the attorney general of the United States as such.

Miss VAN KLEECK. The National Council on American-Soviet Friendship. I have contributed occasionally five dollars.

Mr. COHN. That is the only one?

Miss VAN KLEECK. As far as I know.

Senator JACKSON. Might I suggest to the lady and her counsel that you go over the list? You have a copy of the list, I presume?

Mr. BOUDIN. In New York.

Senator JACKSON. Well, we will supply you with a copy of the list, so that she can refresh her recollection and go over it and file in connection with the affidavit that we requested on the National Council on Soviet Friendship thing on this as well. We will request that you also in that affidavit list any other organization that you have belonged to that appears on the attorney general's list. State when you joined, when you left, if you left, what contributions you made to it, what participation, if any, you took in the particular organization.

Mr. COHN. Do you know Betty Gannett?

Miss VAN KLEECK. No.

Mr. COHN. Do you know Claudia Jones?

Miss VAN KLEECK. No.

Mr. COHN. You have never met either one of them?

Miss VAN KLEECK. I don't think I have ever met either of them. I have never seen Betty Gannett.

Mr. COHN. Have you ever seen Claudia Jones?

Miss VAN KLEECK. I think I have seen her.

Mr. COHN. Where would you have seen Claudia Jones?

Miss VAN KLEECK. Mr. Chairman, I have great difficulty with things I simply can't remember.

Mr. COHN. Claudia Jones is also one of the top leaders of the Communist party of the United States?

Miss VAN KLEECK. Of course. I know that.

Mr. COHN. Being a Communist, it might make quite an impression on you to be at a meeting with one of the top Communist functionaries, would it not?

Miss VAN KLEECK. Why, no.

[Mr. Boudin confers with Miss Van Kleeck.]

Miss VAN KLEECK. Exactly. I was not in a meeting with them. It was not that kind of thing. I said that I thought I had seen her at a meeting. Specifically, I think it was one of the election meetings in New York before the elections in 1948. When there was a meeting of the Women's Congress, as I remember it, called together, a great many women's organizations, preparatory to the campaign that was going on in New York, the Wallace campaign, the Progressive party, the Henry Wallace Progressive party campaign. And, as I remember it, that was the only time I ever saw Claudia Jones. She is a rather striking-looking person, and I remember her. But not because I was impressed at being with a Communist party functionary, because her being a Communist party functionary had nothing to do with it.

Mr. COHN. Have you ever been at any meeting at which was also present any top leader of the Communist party other than Claudia Jones and Elizabeth Gurley Flynn?

Miss VAN KLEECK. I just don't know the import of that question. We live in the city of New York.

Mr. COHN. Oh, madam.

Miss VAN KLEECK. I naturally go to a great many meetings. Yes, of course I have been at meetings. I have never been at a meeting of the Communist party, organized by the Communist party, which is the way you put it, with implications for me.

Senator JACKSON. Are you sure you are saying—

Miss VAN KLEECK. Therefore I am uncertain of the drift of your questions. I want to be cooperative. I want to help the committee in the field of its investigations. I am a social scientist. I am not accustomed to this discussion of individuals.

Mr. COHN. Well, I am sorry you are not accustomed to it, madam. To make it a little plainer, might I state that we have received information from individuals that you are a member of the Communist party? I assume you deny that. Is that right?

Miss VAN KLEECK. You have heard my denial.

Mr. COHN. And if anyone says you are or have been a member of the Communist party, according to you that person is not telling the truth?

Miss VAN KLEECK. I have sworn I was not a member.

Mr. COHN. So we have that issue to determine, as to who is telling the truth about this, and I think if there is any association or attendance at meetings at which were present top Communist leaders of the party, that would be important along these lines. I might ask you this: Are you a believer in our form of government today?

Miss VAN KLEECK. Emphatically. I am an American with a long family background going back to the early days, and my whole work is devoted to the United States of America.

Mr. COHN. My question was: You are a believer in the capitalist form of government?

Miss VAN KLEECK. Is the United States essentially and forever capitalist? It has changed its form of organization through the years. I am a believer in political democracy, which is the essence of the United States of America.

Mr. COHN. I have nothing further, Mr. Chairman.

Senator JACKSON. Now, as I understand it, you do not believe in any system which would involve the advocacy or overthrow of this government by force or by violence?

Miss VAN KLEECK. I do not believe in force and violence. I am not sure that I repudiate the revolution which established the United States of America.

Mr. COHN. Do you repudiate the revolution which established the Soviet Union?

Miss VAN KLEECK. I have nothing to do or say with the revolution which established the Soviet Union.

Mr. COHN. Have you not ever studied that? Haven't you in the course of your studies, come across it or studied anything about it?

Miss VAN KLEECK. It is a perfectly irrelevant question to say, because I am not a Soviet citizen. I am devoted to the United States of America. Naturally, any studies I have made of the Soviet Union have been made—and I have studied social-economic planning in the Soviet Union—have been made with a view to seeing our whole situation. I approach these questions as a sociologist who recognizes the tremendous impact of technological change and development on political and social structure.

And so when you ask me a specific question, capitalism is not the same today as it was fifty years ago. Capitalism changes. Technology changes. I am a sociologist in my approach. I want the general welfare and the declaration of human rights, which is basic in American life. We don't know what the economic forms may be in the future.

Mr. COHN. Do you believe in Marxism?

Miss VAN KLEECK. I am not a—I know very little about Marxism.

Mr. COHN. Madam, the question is: Do you believe in Marxism?

Miss VAN KLEECK. May I tell you that I am secretary of the board of directors of the Encyclopedia of Social Sciences. I can't be so trivial as to talk about whether I believe in Marxism. I believe in study of social sciences, and I am tremendously interested always in the new developments which call for training lawyers in sociological developments.

Mr. COHN. Thank you.

Miss VAN KLEECK. I have taken part in that.

Senator JACKSON. You understand when we refer to Marxism, it involves the dictatorship of the proletariat and the basic doctrine of Marxism. That is what he is referring to.

Miss VAN KLEECK. I believe that the United States of America is not facing today any revolutionary change. My belief is that whatever changes are necessary—and we have been working on this subject of monopoly since 1890—something, when we passed our control bills on monopoly. I believe that whatever changes are necessary in the United States will and can be made under our constitution by the will of the people. If you ask me specifically what that change is going to be—

Senator JACKSON. Madam, you have a right to believe in anything you want, as long as the means that you advocate to achieve that end is lawful. I think that is the law of this land. And the point that I am interested in is whether you are a member of any subversive organization that would deny the right of the people to make any change by lawful means.

Miss VAN KLEECK. The complete contrary. I am an America citizen, believing that we have within our political form of government, the right, if we can preserve our civil liberties, and if we can preserve the freedom of the social sciences, which are terribly jeopardized today.

Senator JACKSON. Let me ask you just one other question. If this country declared war on the Soviet Union through the means provided by the constitution, namely, the Congress of the United States, would you cooperate with your government, as a citizen, in carrying out the resolution and the will of the Congress of the United States?

Miss VAN KLEECK. Completely. I want to make a further announcement, that when we were involved in war, the First World War, I was immediately called to Washington to take charge of the women in industry service of the ordnance department. I was a member of the War Labor Policies Board. And I was the first director of the Women's Bureau, which had relationship to the work of women in government arsenals in the munitions plants, and I gave everything that was in me to maintain the productivity of women's work during the war, with many contacts with the arsenals, with all the officials in the ordnance department offices.

And the answer that I gave then would be the answer I would give under any circumstances. I would wish to strengthen the social-economic structure of our own government.

Senator JACKSON. Well, as I understand, it, your testimony is that if we were involved in war with the Soviet Union, you would loyally, as an American citizen, support your government in that endeavor?

Miss VAN KLEECK. I would support my government in that endeavor. I would work in advance to prevent war.

Senator JACKSON. Well, that is everybody's right.

Mr. COHN. No matter how the war arose; in other words, as long as the Congress declared war?

Miss VAN KLEECK. I am an American citizen, and as such I would serve in whatever function I could, because I would be serving the American people in their daily life under any circumstances.

Mr. COHN. Do you believe that our cause in Korea today is a just cause?

Miss VAN KLEECK. I believe that our course in Korea today could have been very much wiser from the beginning, if the social-economic approach had been followed from 1945.

Mr. COHN. I have heard enough, as far as I am concerned. I would like this witness to remain under subpoena, Mr. Chairman, because we have an issue of fact to determine between her, and other witnesses.

Senator JACKSON. Very well.

Mr. COHN. Would, you stand and be sworn?

Senator JACKSON. Will you raise your right hand? Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SEAVER. I do.

Mr. COHN. Your full name, please.

#### TESTIMONY OF EDWIN SEAVER

Mr. SEAVER. Edwin Seaver, S-e-a-v-e-r.

Mr. COHN. What is your occupation, Mr. Seaver?

Mr. SEAVER. Right now, I am in advertising. I am a writer.

Mr. COHN. With what company?

Mr. SEAVER. Little, Brown and Company.

Mr. COHN. And are you an author of any books?

Mr. SEAVER. Oh, yes.

Mr. COHN. Well, a number of books?

Mr. SEAVER. Under my own name, only two. I mean novels.

Then I edited several books besides that.

Mr. COHN. Under what other names have you written?

Mr. SEAVER. No other names.

Mr. COHN. In other words, you have helped edit.

Mr. SEAVER. Yes, I edited a book of stories by various writers called *Cross Section*.<sup>14</sup>

Mr. COHN. What are the names of your two books?

Mr. SEAVER. My first book was called *The Company*, and the second book was called *Between the Hammer and the Anvil*.<sup>15</sup>

Mr. COHN. *Between the Hammer and the Anvil*. Now, have you ever been a Communist?

Mr. SEAVER. No.

Mr. COHN. Have you ever belonged to any organization listed as subversive by the attorney general?

Mr. SEAVER. To the best of my knowledge, I have not belonged to any such organization since the listing.

Mr. COHN. Oh, no. I mean, have you ever belonged to such an organization?

You see, the listing is not meant to determine the date that an organization is Communist. In other words, if the attorney general listed it on October 2nd, 1943, that doesn't mean it became Communist on that date. He may have listed it because of its past activities.

<sup>14</sup>*Cross Section: A collection of New American Writing* (New York: L.B. Fischer, 1944-1948).

<sup>15</sup>Edwin Seaver, *The Company* (New York: Macmillan, 1930), and *Between the Hammer and the Anvil* (New York, J. Messner, 1937).

Mr. SEEVER. There was the League of American Writers, the Congress Against War and Fascism.

Mr. COHN. Did, you belong to that?

Mr. SEEVER. Yes.

Mr. COHN. Did you not know that was a Communist-dominated organization?

Mr. SEEVER. I certainly did not know it at the time. I certainly did not. Because most of the fellows I knew were on it, all sorts of writers, of every kind.

Senator JACKSON. When did you join it?

Mr. SEEVER. I joined it at the beginning. I was one of the group that thought it was a wonderful group for writers to organize against war and fascism.

Mr. COHN. When did you leave it?

Mr. SEEVER. Well, frankly, it just petered out for me. I just didn't go on with it.

Mr. COHN. No other organizations like that?

Mr. SEEVER. No, no other organization I belonged to, except this so called Peace Conference at the Waldorf some years ago.

Senator JACKSON. American Peace Mobilization?

Mr. COHN. You mean the recent conference, do you not?

Mr. SEEVER. It was 1947 or 1948.

Mr. COHN. We are not talking about the Emergency Peace Organization. You are talking about the Waldorf Astoria Peace Conference?

Mr. SEEVER. That is right.

Senator JACKSON. That was the thing with Ehrenburg, the Soviet writer, headed by Shaffly of Harvard.

Mr. SEEVER. But I didn't organize it. I was one of those who thought it would be a good thing to have it.

Mr. COHN. Didn't you know that was Communist inspired?

Mr. SEEVER. No, I didn't. Because if you look at the list of people who signed that thing, how could you say that?

How could I say it, I mean.

Mr. COHN. I looked at it carefully.

Mr. SEEVER. Now you are looking at it with after thought.

Mr. COHN. No, I looked at it then.

Senator JACKSON. After you got into the thing, were you not convinced, as a writer, or as an intelligent man—

Mr. SEEVER. I didn't think it had much to do with writing.

Senator JACKSON. Did you not think it was Communist dominated, after you saw the whole thing?

Mr. SEEVER. Yes, I thought the whole thing was politically motivated, that it didn't have to do with writers dealing with writers' problems.

Senator JACKSON. What do you mean by "politically motivated"?

Mr. SEEVER. I mean whoever it was the Russian writer got up and made a specific speech about Russia, and that sort of thing, and I wasn't there to hear about the glories of Russia. I wanted to hear about Russian literature.

Senator JACKSON. I mean as an intelligent citizen, were you not convinced that this was a Commie pitch?

Mr. SEEVER. Yes, I was, Senator. And it was the last such thing I ever attended.

Mr. COHN. You say that was the last such thing you ever attended?

Mr. SEEVER. To the best of my knowledge.

Mr. COHN. Have you ever attended a Communist meeting?

Mr SEEVER. No,

Mr. COHN. You have not?

Mr. SEEVER. No. Now, I have to qualify that. Because I wouldn't know if a thing were a Communist meeting. I never went to a meeting that was supposed to be.

Senator JACKSON. Knowing it was a Communist meeting?

Mr. SEEVER. Yes.

Mr. COHN. Looking back, can you think of any meetings which you attended which you now think were Communist meetings?

Mr. SEEVER. There was one meeting, and I honestly can't tell you where it was held or what the damn thing was, because I didn't know, when I went there. But when I went there, and I heard people talking about economics and economic policy three hours at a time, I remembered it was a nice spring day, and I left.

Senator JACKSON. Who was the sponsor of the meeting?

Mr. SEEVER. I was never told.

Senator JACKSON. Was it a public meeting?

Mr. SEEVER. It seemed to be. It was a big hall and I remember Earl Browder was making a long speech summarizing the whole economic——

Mr. COHN. You knew he was a pretty well known Communist?

Mr. SEEVER. Oh, of course. He ran for office. I couldn't help knowing it.

Mr. COHN. That didn't sort of make you think it might be a Communist affiliated meeting?

Mr. SEEVER. I don't know. Now, wait a minute. I didn't say I didn't think it was a Communist meeting. I said the only meeting I ever attended that I knew was a Communist meeting——

Mr. COHN. Oh, I thought you said originally you never knowingly attended a Communist meeting.

Mr. SEEVER. Wait a minute. When I got there and saw what it was, I knew it was a Communist meeting.

Mr. COHN. What did you do then?

Mr. SEEVER. I walked out of it.

Mr. COHN. You walked out?

Mr. SEEVER. Very quickly.

Mr. COHN. Did you hear Browder? You just said you listened to some long speech by Browder.

Mr. SEEVER. It was a long speech summarizing, I guess, the economic condition of the country.

Mr. COHN. What did you do? Did you walk out quickly, or did you listen to Browder for a long time?

Mr. SEEVER. I didn't listen to Browder for a long time, because I can't listen to long speeches of that sort. That is not my makeup.

Senator JACKSON. Counsel has asked you if you have been a member of the Communist party. I will put this question to you: Are you now or have you ever been a member of the Communist party?

Mr. SEEVER. No, sir.

Mr. COHN. Have you ever been a believer in communism?

Mr. SEAVER. I think in that period of the thirties, for three or four years, I would certainly consider myself a fellow traveler.

Senator JACKSON. A fellow traveler during the thirties?

Mr. SEAVER. That is what I call myself, looking back.

Senator JACKSON. What was your position during the Hitler-Stalin Pact? Did you think it was a good—

Mr. SEAVER. Well, I would say before that I already knew that I didn't want any part of it. That was the business of the Finnish war.

Senator JACKSON. The which?

Mr. Seaver. The Finnish war.

Senator JACKSON. What was your position on that? Did you think the Russians were right?

Mr. SEAVER. Oh, of course not. Why should an aggressor nation be right?

Senator JACKSON. Well, then, you were in favor of, or opposed to, the Hitler-Stalin Pact?

Mr. SEAVER. I was opposed to it, because it just brought war that much quicker.

Senator JACKSON. Did you ever make any public statement on it?

Mr. SEAVER. No.

Senator JACKSON. Did you ever write anything on it?

Mr. SEAVER. No. I had stopped writing on any of those things by that time, on any of them.

Mr. COHN. The thing that troubles me is the thing that you turn up at this Waldorf Peace Conference in 1948.

Mr. SEAVER. Well, look. Is it wrong for a man to want to work for peace if he thinks there could be peace? I just want to finish this. It was the last time. Because I saw very clearly that what all these things are, are orientations toward trying to push this policy of one country against another. And that is the end of it for me.

Mr. COHN. When did you write your books?

Mr. SEAVER. The first one was written in 1929, published in 1930.

Mr. COHN. Which one was that?

Mr. SEAVER. *The Company*. The second one was—I would say I started it about 1934, in a period of great depression for me. I was out of a job.

Mr. COHN. That was *The Hammer and the Anvil*?

Mr. SEAVER. That was published in 1938.

Senator JACKSON. You started writing it in 1938?

Mr. SEAVER. Yes. It might have been a little earlier or a little later.

Mr. COHN. When you wrote that book, you would still be in that period when you would call yourself a sympathizer?

Mr. Seaver. I think so, yes,

Mr. COHN. That is pretty well reflected in the book, is it not?

Mr. SEAVER. I would say so.

Mr. COHN. Let me ask you this. You have broken. In other words, you have changed your views, and you have seen, as I think you tried to tell us pretty frankly here, the depression, and you were pretty badly misled, and you certainly now, am I correct in stating, are a firm believer in this country?

Mr. SEAVER. Well, I would put it more than that. I am a firm believer that the Communist way of life is not for us.

Mr. COHN. Right. And you now are big enough to say that you were mistaken back many years ago when you believed otherwise.

Mr. SEAVER. Can I say this: Can I say that I was idealistic and a little fuzzy-minded, I think.

Mr. COHN. I want to get to this. Having been straight-forward enough to say that, you know what this is about, I imagine. We are investigating the information program of the State Department, finding out they have got a lot of books that have seeped in there. Their objective is not just to put in any book, by the way, but to put in those books which will give to the people throughout the world a true picture of the American objectives in the year 1953 and will aid us in the fight against communism. Now, if you were to make a selection of books, would you pick these books from your early period?

Mr. SEAVER. I think *The Company* would be all right.

Mr. COHN. How about *The Hammer and the Anvil*?

Mr. SEAVER. No, I would not. Because it reflects a good deal of my own subjective feeling at the time. First of all, I don't think it is a very good book.

Senator JACKSON. Well, you wrote the book during a time when you now say you were fuzzy, idealistic, and if you had it to do over again you would not do it. Is that not about it?

Mr. SEAVER. I couldn't possibly do it.

Mr. COHN. How about *The Company*? Are you sure about that? Wouldn't you call that pretty much of a borderline case?

Mr. SEAVER. I don't know. I was a very young man then. These sketches that I was writing appeared in many magazines.

Mr. COHN. I know. But still, in 1953—

Mr. SEAVER. I don't know whether it could be or not. It wasn't reviewed that way.

Mr. COHN. No, but in the year 1953, is that a book that you would stick in there?

Senator JACKSON. What is *The Company* about?

Mr. SEAVER. *The Company* is about white collar workers.

Mr. COHN. I looked at that.

Mr. SEAVER. That is pretty much of a literary work.

Mr. COHN. But it is pretty much full of this other stuff.

Senator JACKSON. When was that written?

Mr. SEAVER. In 1929. I think you are drawing the line rather fine.

Mr. COHN. Well, you are trying to be frank, and I appreciate it.

Mr. SEAVER. I wouldn't put it in, because I don't think that is proper in the current situation.

Mr. COHN. Well, sticking by your views at the time and even though they are not reflected as much as in *The Hammer and the Anvil*, and I agree with you on that, still, in all frankness, would you put *The Company* in there today?

Mr. SEAVER. I don't know. I can think of many better books to put in.

Senator JACKSON. What is *The Company* about?

Mr. SEAVER. It is a series of white collar sketches, clerks working in a big corporation and feeling their own personal lives weren't being expressed.

Senator JACKSON. It was applied to the white collar worker in America?

Mr. SEAVER. Well, that is putting a big name on it. Because I was a young guy then just writing.

Mr. COHN. When did you edit this book of stories?

Mr. SEAVER. You mean *Cross Section*?

Mr. COHN. Yes.

Mr. SEAVER. That was '44, '46, '47, '48.

Mr. COHN. And that you would say is okay?

Mr. SEAVER. Well, now, listen. I did not write the stories and didn't know who the people were who were writing them. It is like these books now, these pocket books, the New American Library, and so forth, where a lot of young writers send you their stuff, and you judge it by its quality and I wouldn't say none of it doesn't come under what you are talking about. I would think maybe some of it does.

Mr. COHN. In all candor, that is not a book you would stick in there either, would you?

Mr. SEAVER. No, I wouldn't.

Mr. COHN. You have been frank, and I appreciate it.

Mr. SEAVER. Well, I am a writer.

Senator JACKSON. What are you doing now?

Mr. SEAVER. I am advertising manager for Little, Brown. The last few years earned me more money than all the books I ever wrote. I ghosted Carole Landis's *Four Jills in a Jeep*.

Senator JACKSON. I take it you do not go along with Soviet foreign policy and their anti-Semitic attacks?

Mr. SEAVER. Well, first of all, I am a Jew.

Senator JACKSON. You have a right to be anything you want. We are all Americans.

Mr. SEAVER. I would hardly go along with that.

Senator JACKSON. I am glad to hear you say that, because we had one witness before this committee the other day who was Jewish and who would not believe his own people. And I say that anyone who is of that kind of background is a pretty sad individual.

Mr. SEAVER. I think I am what they call a bourgeois international Zionist.

Senator JACKSON. Well, he said a Zionist was a capitalistic stooge engaged in spying, a member of a capitalistic stooge organization of the United States, I think, in effect, spying on the Soviet Union.

Mr. COHN. We want to ask you to come back tomorrow morning, Mr. Seaver, if it is agreeable.

[Whereupon, at 6:25 p.m. a recess was taken to the call of the chair.]



## STATE DEPARTMENT INFORMATION PROGRAM—INFORMATION CENTERS

[EDITOR'S NOTE.—Edward W. Barrett (1910–1989) served as overseas director of the Office of War Information during World War II, editorial director of *Newsweek* magazine after the war, and assistant secretary of state for public affairs from 1950 to 1952. In the latter capacity, he supervised and signed the press releases that the State Department issued to rebut Senator McCarthy's accusations about subversion and lax security within the department. In a Senate speech on June 2, 1950, McCarthy described the State Department's White Paper on China as having been "supervised by Edward Barrett, Mr. Acheson's publicity chief. He was Mr. Lattimore's superior when both worked in the Office of War Information." The senator went on to charge: "We cannot afford the luxury of high-paid phonies peddling propaganda to protect the reputations of men who have proven themselves unworthy of the confidence of the American people."

On March 27, 1953, Barrett testified during a public hearing of the Foreign Relations Subcommittee on Overseas Information Programs, chaired by Senator Bourke B. Hickenlooper. He identified his occupation at the time as a consultant in news, television, and public relations. In his opening statement to the Hickenlooper subcommittee, Barrett said: "As the President has said, we cannot hope to win the cold war against Communist imperialism unless we win the minds of men. This means mastering the techniques of honest international persuasion. It does not mean, as you know, going hogwild, misconstruing propaganda as a substitute for action. It does not mean letting childish headline hunters frighten us into such shrill and strident techniques as to antagonize at the outset those abroad whom we seek to win over. . . . Mr. Chairman, the Voice of America and the international information program have important shortcomings. I know, because they were among the operations for which I was responsible for a couple of years. When the full facts are known, I believe it will develop that there is little basis for most of the recently headlined and well-rehearsed allegations made elsewhere by a handpicked group of disgruntled and frightened little men." As a result of these remarks, Barrett was called to testify in executive session of the permanent subcommittee on investigations. The subcommittee did not call him back to testify in public. Barrett later became dean of the Columbia School of Journalism, where he founded the *Columbia Journalism Review*.]

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TUESDAY, MARCH 31, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:45 p.m. in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator John L. McClellan, Democrat, Arkansas; Senator Stuart Symington, Democrat, Missouri.

Also present: Roy Cohn, chief counsel; Donald Surine, assistant counsel; Ruth Young Watt, chief clerk; John S. Leahy, Jr., special assistant to the under secretary of state for administration.

The CHAIRMAN. The hearing will be in order.

Mr. Barrett, in this matter before the subcommittee for hearing, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BARRETT. I do.

#### TESTIMONY OF EDWARD W. BARRETT

The CHAIRMAN. Mr. Barrett, I know you have appeared before the Hickenlooper committee, and normally we do not duplicate witnesses or the work they are doing, but you made some statements over there which indicated that you might be helpful to this committee.

We have been calling witnesses in regard to the Voice of America. I notice you referred to the disgruntled employees, if I may get the exact language. I have a list of the witnesses we have called up, and I wish you would tell me which ones you consider disgruntled, and it might be of some assistance to us in evaluating the testimony if we know which of those employees are disgruntled. Will you tell us who you had in mind?

Mr. BARRETT. Do you want another copy of that statement, by the way? Is this on the record, senator?

The CHAIRMAN. Yes.

Mr. BARRETT. There is a record kept?

The CHAIRMAN. Yes.

You made some statements before the Hickenlooper committee which I think might be of some assistance to us if you can give us some further detailed evidence on this matter. For example, one of the things that the committee must determine is which of the witnesses are telling the truth. We want to get a complete picture of the witness and evaluate his testimony.

I note you made the statement: "It was a hand-picked group of disgruntled and frightened little men who testified."

Could you tell us which ones you are referring to? That is on page two.

Mr. BARRETT. Could I say in general this, sir, that that is my opinion, shared by many newspapers, including the *New York Times* who editorialized to that effect, and I am quite sure there are a number of others. It is an impression that is based in large part on the public hearings and particularly on the televised hearings and the amount of time given to individuals who seemed to me to fit into that category.

The CHAIRMAN. Well, just to give us a general statement, general information, does not help us at all, but if you know of any particular disgruntled or frightened little men who testified, that would help us.

Mr. BARRETT. I think Miss Nancy Lenkeith, and I do not have the list here, was given a great deal of time on the television showing and fitted into that category, a discharged employee. I think that Mr. McKesson, on whose testimony a very large amount of the charges about the transmitter program was based, was an employee who is now out of the Voice after having had differences.

The CHAIRMAN. Did you feel he was testifying as he did because he was a disgruntled former employee?

Mr. BARRETT. I felt that that was a factor in it, Senator.

The CHAIRMAN. Are you aware of the fact that the new head of the Voice has canceled the two stations in accordance with the recommendations of Mr. McKesson, as a result of the hearings?

Mr. BARRETT. I am aware of the fact that those stations have been suspended, and I am aware of the fact that there are still differences between engineers on those points as to whether those are good locations or not. I am aware of the fact, sir—

The CHAIRMAN. Between what engineers? I think we should identify it. What was your job in the State Department?

Mr. BARRETT. My last job in public life, sir, was assistant secretary of state for public affairs.

The CHAIRMAN. When were you so employed?

Mr. BARRETT. I started in January of 1950. I started on February 15 approximately, 1950, and ended my service approximately February 20 of 1952.

I should add for your benefit that the duties encompassed a great many things over and beyond the Voice of America. It was that, and in fact the entire information program made up only a part of my duties, so mine was a broad supervisory function.

The CHAIRMAN. You had considerable to do with the information program?

Mr. BARRETT. I did, sir. I had responsibility for that along with other things in a supervisory capacity.

The CHAIRMAN. We have had testimony here that of the authors used at least seventy-five were members of the Communist party, and a number of the authors appeared before the committee and refused to tell whether they were Communists as of the date they appeared, and others said they were not Communists as of the date they appeared and refused to tell whether they were Communists when they wrote the books. I would like to ask you this question: Number one, were you aware of the fact that the works of Communist authors were being purchased?

Mr. BARRETT. No, I was not aware that the books of Communist authors were being purchased. I felt we had considerable safeguards in that regard, because the libraries were continually being inspected and inspected in detail. For example, a committee of three from the American Book Publishers Council, I believe it was, was appointed to go around the world to inspect them.

The CHAIRMAN. Who were those three people?

Mr. BARRETT. The three book publishers? It was headed by Mr. Robert Crowell, president of Thomas Y. Crowell.

Senator MUNDT. Of Crowell Publishing Company?

Mr. BARRETT. Thomas Y. Crowell Publishing Company.

The other names I do not at this moment recall.

The CHAIRMAN. Could you get those names for us?

Mr. BARRETT. One other was Mr. Chester Kerr of Yale University Press, and the third was an eminent librarian whose name I do not remember at this time. A correction—I am not sure that that was appointed by the publishers council but it was appointed by my office with the advice of the publishers council.

The CHAIRMAN. What instructions were they given? Were they given instructions to remove the books?

Mr. BARRETT. To go around and inspect the libraries; they were given general instructions to inspect the libraries and to go over

the shelves and see how they were being handled; and also all libraries, or most libraries, around the world were inspected by a group of investigators from the House Appropriations Committee, who made a five-month inspection in 1951 or early 1952 I believe.

The CHAIRMAN. Some of the senators will have to leave fairly soon, and there are a number of questions I would like to get to before they leave.

Mr. BARRETT. I wonder if I could get back to one point you raised before, because I did not get to finish the answer?

The CHAIRMAN. You certainly may.

Mr. BARRETT. That was on the matter of the transmitters. Before I left, I had numerous studies made of those transmitters, one by Dr. Wilson Compton, and that was before February of 1952. I did get one report that I think is germane, indicating the character of the people who were originally consulted and worked on the location of these transmitters during my term of office. This was by Mr. Wiesner, of Massachusetts Institute of Technology; and if I could read the first paragraph, I will be glad to give you the whole thing for the record.

This is from Mr. Jerome B. Wiesner, Associate Director, Research Laboratory of Electronics, Massachusetts Institute of Technology. It is dated December 26, 1951. It is addressed to Mr. Raymond Kaplan:

Dear Ray: Since our recent conversation, Dr. Bettencourt and I have once more reviewed our recommendations to place the Baker station in the Northwest. As you know, our decisions were based on the study of the RCA signal corps, and the CRPL, the Central Radio Propagation Laboratories of the U.S. Bureau of Standards. We did not introduce any data into the review. We believed that the original recommendation that the Baker station should be placed in Seattle is still sound.

I call that to your attention just to show you that as of that date at any rate—

Mr. COHN. We have that entire report in the record.

The CHAIRMAN. Mr. Barrett, will you get back to this question: Did I understand your statement to be that you did not know that those Communist works were being purchased?

Mr. BARRETT. I do not yet know, sir, that any Communist works were purchased during that time. I received many complaints about many parts of the program and always made it a point to have an investigation made.

The CHAIRMAN. You say as of this moment you do not know that any Communist works were purchased while you were in this job?

Mr. BARRETT. That is correct.

The CHAIRMAN. From your testimony evaluating the type of witnesses who appeared before the committee, I assume that you are aware of the testimony that was taken here, and you would not go before a committee and evaluate our work and describe our witnesses unless you followed the testimony.

Mr. BARRETT. I am aware of a great deal of the testimony and I am aware of what was printed in the press and most of what was carried on the television.

The CHAIRMAN. Are you aware of the fact that this staff has checked with the State Department and verified that works of well-known Communists or individuals who refused to testify as to

whether they were Communists or not, that those works have been purchased? Are you aware of that?

Mr. BARRETT. No, I do not happen to be aware of that.

The CHAIRMAN. Well, let me ask you this: Had you known that Communists' works were being purchased for use by the information program, would you have approved of that?

Mr. BARRETT. Not for any use on the open shelves available to the general public abroad.

The CHAIRMAN. That is what I am speaking of, for use on open shelves.

Mr. BARRETT. You understand that I would advocate having them on restricted shelves for use of the staff and for use of well-known anti-Communists in the towns concerned.

The CHAIRMAN. Do you know who was responsible for selecting the books while you were in the State Department?

Mr. BARRETT. No, I do not. There was a very elaborate system set up as I recall. I believe, and this is memory—I am almost certain of it—the American Library Association participated, and so on, at my request. After a little flare up on an entirely different subject in the summer of 1951, I asked a special committee be set up under the auspices of the U.S. Advisory Commission on International Education, or Educational Exchange, to review all of the books and all of the magazines going into the libraries and the general policies being followed in that connection. That report was not completed until I was out of office.

The CHAIRMAN. You refer to the "well-rehearsed allegations." Will you explain what you mean by that? You said, "and well-rehearsed allegations made elsewhere by a handpicked group of disgruntled and frightened little men."

Mr. BARRETT. I would say, sir, that my impression has been that the testimony was well-rehearsed; and I remember, for example, one case when you turned to Mr. Cohn, and you said, "Mr. Cohn, you have been through this witness's testimony three times. I wonder if you can get the right answers."

Mr. COHN. Three times. Mr. Barrett, would you think it would be proper for us to put a witness on the stand without talking to the witness first to find out whether or not the witness had any information to give the committee?

Mr. BARRETT. No, Mr. Cohn, I would not, nor would I think it well to put a witness on the stand, frankly, to make allegations against an individual without talking to the individual against whom the allegations have been made.

The CHAIRMAN. Do you know of any individual against whom allegations have been made who was asked to be heard by this committee who has not been given the right to appear?

Mr. BARRETT. I do not. I am aware of the fact that there are individuals in Germany, for example, about whose record I know almost nothing, who have not yet appeared.

The CHAIRMAN. Mr. Kagan, for instance?

Mr. BARRETT. Yes, sir, and I know that Kagan was the name of one, and I know that there were witnesses who were subject to televised allegations that were not heard publicly until very, very much later, and, very frankly, gentlemen, I feel that that is unfair.

The CHAIRMAN. You have been in this work a long time, so maybe you can be of some benefit to the committee. Let us take Kaghan for example. Do you think it would be unfair to show that a man had been writing following the Communist party line and is now in a high position in Germany and that he flunked his security test? Do you think that we should keep that—and a signer of a Communist party petition—would you say that we should not expose that fact, that that would be unfair to him? Or would it be unfair to the people if we failed to expose it?

Mr. BARRETT. I would not think, if those conditions are true, that you should decline to bring out that information; you have a duty and a responsibility to bring out any such information, if you have such information as that. I do think that in fairness to a witness under the American principles of fair-play that the gentleman should have a chance to testify in his own behalf regardless of what the record may show.

The CHAIRMAN. Do you know of anyone who has not been given that chance?

Mr. BARRETT. I repeat, Senator, that I am not aware that any steps have been taken toward that.

The CHAIRMAN. You have a perfect right to shout against high heaven, and we did not bring you in to criticize you for having screamed against the committee, but you indicated here that you had information which we do not have, and we would like to get it, and you referred to a handpicked group of disgruntled and frightened little men. We ask you to name them. And of the witnesses that have been called, you say Nancy Lenkeith you think was one of the handpicked persons, and you think McKesson was the other.

Mr. BARRETT. Disgruntled.

The CHAIRMAN. McKesson, whose advice has now been followed by Mr. Johnson. If you are merely criticizing the committee because they are exposing your activities that occurred in the past, then we have no interest in examining you further. If you have information for us, as you indicated you did, that you can tell us about a well-rehearsed witness or well-rehearsed allegations, if you know that our staff is rehearsing the witnesses, handpicking them, that is a pretty serious charge, you see. I do not hardly think that a man doing as high a job as you did in the State Department would make that statement unless he had some information to back it up.

Now, if you know who handpicked the people, we would like to know it. You are testifying as an expert on this, and you should know that we have offered the State Department the right to have any witness they cared to have called in. I do not want to waste any more time at all on this; and if you were just making the usual screaming and shouting against the committee, and if you have no evidence of well-rehearsed allegations, and the only two disgruntled people you can name are Miss Lenkeith and this very, very respectable and outstanding engineer, Mr. McKesson, let me say that I do not think that you impress the committee. At least you do not impress me with your statement that McKesson was a disgruntled employee. McKesson has impressed me as an outstanding engineer and a very high quality individual. If you know of any other dis-

gruntled person who testified, we would be glad to have you tell us about them.

Mr. BARRETT. Senator, may I speak to that?

The CHAIRMAN. You may speak to that.

Mr. BARRETT. May I have a few moments?

The CHAIRMAN. With as much length as you care to.

Mr. BARRETT. All right. Thank you.

The CHAIRMAN. May I say you might want to cover this while you are talking, that there are some who might think that you were the disgruntled individual, you see, no longer holding this job and your activities have been exposed, and now you can speak as long as you like, with that interruption.

Mr. BARRETT. Let me say, in the first place, senator, that I genuinely feel it is unfair to say that my activities have been exposed. That the program had faults under my supervision, I have no doubt. Every large organization has faults. But no complaint of any substance whatever came to my attention without my having that investigated, and investigated whenever possible by an organization outside of what is now the IAA.

For example, when a complaint came that there was mismanagement in the Radio Facilities Branch, I asked the chairman of the National Association of Broadcasters to appoint a committee of three to make a report, and that report is now a matter of record.

Mr. COHN. Who was the chairman of that?

Mr. BARRETT. Justin Miller.

Mr. COHN. Did he appoint Mr. Hughes as one of them?

Senator SYMINGTON. I think we should let the witness talk.

Mr. BARRETT. That report is now in the record and can be found in the record of the Senate Appropriations Committee in the spring of 1951.

When complaints of other nature came to my attention, many of them did, from many channels, I always had them investigated. There were security complaints, or if I had any security suspicions myself, I had them investigated by the office under Mr. Don Nicholson, formerly with the FBI, and Mr. Peurifoy's office. I feel that the record shows fully that those transmitters were located—and they were only planned during my period—but they were located according to the best advice obtainable, and I think the record will show that.

I would like to see the committee subpoena all of the records and all of the correspondence on these transmitters, because I think—

The CHAIRMAN. It has been done.

Mr. BARRETT. And I would like to see all of the committee members examine it, because I think that it shows very conclusively that every effort was made to get the best advice on them.

Now, about disgruntled witnesses, sir, I expressed an opinion much as the New York Times and other organizations have expressed, and I said disgruntled or frightened witnesses. I did not mean only two. I was interrupted by you, Mr. Chairman, at the point where I finished naming them, the two.

The CHAIRMAN. You may proceed.

Mr. BARRETT. If you want names, I would prefer not going into personalities, but if you want them—

The CHAIRMAN. It is a pretty serious general statement, and I think you should give us names.

Mr. BARRETT. I think Mr. Thompson is a disgruntled witness. Mr. Thompson had been demoted in the organization. I think that Mr. Virgil Fulling was a disgruntled witness, because Mr. Fulling had been in the organization for a long time and had been passed over many times to my knowledge, and so on. I think, incidentally, that he gave very extreme testimony that can be refuted if the record is looked at with regard to such things as whether the word "anti-Communist" had ever been used to his knowledge.

I believe it will be found, and I suggest the witness look at the scripts of two days before, to see if the word was not used fourteen times in scripts of that particular desk, on two days before this incident was supposed to have occurred.

I think you have had many frightened witnesses, sir, and I came in here today as a frightened witness myself, I suppose, but people do not relish appearing before this committee. I think Dr. Wilson Compton must have been frightened because he had looked fully into these transmitters, and he had made an investigation of many weeks of the transmitters before he took office in the IAA.

I gathered from his published testimony before this committee that he felt those transmitters were mis-located, canceled, and so on, and he went before the Hickenlooper committee some days later and, as I recall, subject to check, he testified that he felt those transmitters were right and that they should go ahead. He had canceled them not because of the alleged sabotage and things of that sort.

The CHAIRMAN. May I interrupt you as you list these names? You list him as one of the "handpicked group of disgruntled and frightened little men?"

Mr. BARRETT. I would not pick him as handpicked.

The CHAIRMAN. You would not say he was a frightened little man, would you?

Mr. BARRETT. I would say there was some evidence of fear in that, by virtue of the fact that his testimony given before the Hickenlooper committee subsequently indicated that he felt that the transmitters were still okay and that they should be proceeded again.

The CHAIRMAN. Was it your thought we should not have called Mr. Compton because he was frightened?

Mr. BARRETT. No. I was glad to see you call him, and I only regret, senator, that in connection with Mr. McKesson's testimony you did not call some of the large number of people who had originally participated in the siting of those transmitters.

The CHAIRMAN. We had some sixty-seven or seventy witnesses appear before the committee, and you have named four of them that you thought were disgruntled. Did you have any others in mind?

Mr. BARRETT. A great deal of time has been given to those four.

The CHAIRMAN. May I say this, Mr. Barrett: If you are merely making a general statement, and that statement has been made by other people, a general criticism of the committee, and if you did not have information yourself of what you considered well-rehearsed testimony or disgruntled people, I am not going to try to

badger you for names. The reason you are called here, some of those over on the Hickenlooper committee felt that if you knew of this, and this was called to my attention by a member of that committee, that if you knew of something like this, we should hear about it. I know that the other members of the committee would like to know if my staff has been rehearsing witnesses.

Mr. BARRETT. I suggest you ask your staff that.

The CHAIRMAN. Do you know of any rehearsing? You made a serious charge, you see, against my staff, and if you do not know of any rehearsing, it is all right.

Mr. BARRETT. I regret to say that you made that charge when you turned to Mr. Cohn in one case and said, "Now you have been through this witness's testimony three times; let me see, will you see if you can get her to give the right answers."

The CHAIRMAN. Who was that?

Mr. BARRETT. Miss Lenkeith; and I just happened to be watching you on television, sir.

Mr. COHN. You think what you have just said is in context, Mr. Barrett?

Mr. BARRETT. I think you should consult the record on it, because I will not say that my memory is infallible on that, and I think it would be well to check the record.

The CHAIRMAN. Is that the only indication you have of any rehearsal of the witnesses?

Mr. BARRETT. The fact that was visible on television, you had a sheet in front of you that looked like questions and answers to me from the way you worked from them.

The CHAIRMAN. That would mean rehearsal? If I had questions and answers in front of me, you think that that would mean that I had rehearsed the witness or the staff had rehearsed the witness?

Mr. BARRETT. It would imply it to me.

The CHAIRMAN. It would imply that?

Mr. BARRETT. I would have to say that in fairness.

The CHAIRMAN. You cannot tell us now who is responsible for putting, or who has been responsible for putting the works of Communist authors on the shelves?

Mr. BARRETT. Just a moment. Do you want to leave this thing on which you asked me to make a statement of disgruntled and so on?

The CHAIRMAN. I thought that you had finished giving us a list of these people. If you have some more disgruntled people in mind, let us have them.

Mr. BARRETT. You spoke of Mr. McKesson, and I do not care to indulge in names before this committee, sir, but I think it would be well for the committee to look into Mr. McKesson's own background as thoroughly as they have looked into the background of some of these other witnesses.

The CHAIRMAN. Now just a second. You intimate that you know something of his background of uncomplimentary nature. That is your intimation. Do you know anything now about his background that would interest the committee?

Mr. BARRETT. I know nothing that I can state as a fact, of first-hand knowledge, sir, but there is enough talk around and enough reports around.

The CHAIRMAN. What kind of talk? I would like to know so that we can check on it. I think we have looked into his background as far as his employment record is concerned, and it is rather outstanding. Now, if there is some talk around I would like to know what it is. You see, when you come here and say look into so-and-so's background, that means to me that you know something of his background that is bad.

Mr. BARRETT. Senator, you have looked into the background—I believe when a witness comes up with the kind of testimony McKesson has, his background should be looked into fully.

I would like——

The CHAIRMAN. Will you tell us what those reports were that you heard?

Mr. BARRETT. I would prefer not to, sir.

The CHAIRMAN. I frankly do not care what you prefer. This is a very important matter, and it involves what has been referred to as sabotage of the information program. Mr. McKesson is one of the witnesses upon whom we have relied rather heavily, and he is making a study now, and we have checked his background with RCA. He was a commander in the navy, and we have checked his record in the navy, and we find nothing of a derogatory nature whatsoever in his background.

Now, if you have heard reports, we would like to know what they are and who you heard them from.

Mr. BARRETT. I should like to suggest, Senator, that I do not care to indulge in hearsay, but when I was in a responsible position, I always did have hearsay thoroughly investigated.

The CHAIRMAN. Well, we would like to get the hearsay, the reports you heard.

Senator MCCLELLAN. Let me ask you a question, please, sir. What I am trying to determine now, so that I will know how to judge this interrogation, are you telling the committee that there is something, in your judgment, in the background or the record of Mr. McKesson that if disclosed would reflect upon him and discredit the testimony he has given the committee or calculated to discredit his testimony to any degree?

Mr. BARRETT. I think that it might bear upon the question as to whether he is a disgruntled employee or disgruntled person.

Senator MCCLELLAN. Does it go beyond this, that he is just disgruntled?

Mr. BARRETT. No, I think it bears upon whether he is a disgruntled person.

Senator MCCLELLAN. Only that? It does not go into any deeper phase than that, other than just he is unhappy about something connected with his work?

Mr. BARRETT. That is correct, and he has a reputation for being disgruntled in previous organizations.

Senator MCCLELLAN. Well, I just wanted to see what the extent of your charge was.

The CHAIRMAN. When you talk about the rumors, you did not want to put on the record here, you are talking about rumors of his being disgruntled?

Mr. BARRETT. Yes, many rumors and reports, that is right

The CHAIRMAN. And nothing except rumors of his being disgruntled?

Mr. BARRETT. That is right. I would like to say in connection with Mr. McKesson that without discrediting Mr. McKesson, I think that there are signs in the testimony Mr. McKesson was a very sincere man, even though he was unhappy over what he thought was bad treatment at the Voice of America, perhaps. But I think to get a really balanced picture, as I am sure, Mr. Chairman, you want to do, that it would be wise to subpoena the gentleman like those from the Massachusetts Institute of Technology and other organizations, who participated originally in the selection of these sites. I think in order to get a balanced picture of that, it is necessary to do that.

Senator MUNDT. It sounds like a good suggestion. Can you give us the names of those, but we have been trying to find some witnesses who would have a balance in this thing.

We had a list, and the list did not stand up very well, and you might know more about who to call than he did.

Mr. BARRETT. I know the people who worked on this whole problem when I was in office, sir, and I believe some of those names are on the piece of paper that I put out here a short time ago.

The CHAIRMAN. On your speech, you mean?

Mr. BARRETT. No, not on my speech. It is on this report.

Senator SYMINGTON. Could I make a few observations?

Senator MUNDT. I would like to get these names while we are on this subject, if we can.

Mr. BARRETT. Mr. Morris Pierce.

Senator MUNDT. Would you identify him?

Mr. BARRETT. Well, here are the names. You will find them in this document.

Senator MUNDT. Let us put the document in the record and that will take care of the matter.

The CHAIRMAN. I may say for the benefit of the other senators, that Morris Pierce is one of the individuals originally suggested by Mr. Crosby, and we asked the State Department to check into his testimony and see if it differed with the testimony theretofore taken, and if they wanted him called; and they notified us that they did not care to have Mr. Pierce called.

Senator MUNDT. What apparently happened, Mr. Barrett, from the evidence before this committee, is that some of the people who seemingly originally suggested Baker East and Baker West—

Mr. BARRETT. After rather thorough study.

Senator MUNDT. They changed their minds.

Mr. BARRETT. That is correct; it may be correct.

Senator MUNDT. At least when Mr. Crosby suggested the names, I gave them to Mr. Cohn, and he contacted them, and they either said, "There is no reason to call us; we now agree it was a mistake," or for some other reason the State Department said there was no use to ask them to appear.

Mr. BARRETT. Nonetheless, sir, I have the impression that very serious charges have been made before this committee to the effect that there was sabotage in the location of transmitters. Now, if these gentlemen participated in the selection of those sites on the basis of information obtained from RCA—

Mr. COHN. What do you mean by "these gentlemen," so that we can get it clear?

Mr. BARRETT. The gentlemen whose names appeared in some of these documents.

The CHAIRMAN. You have a number of names. Do you want to check the ones?

Senator MUNDT. Read the ones into the record that you think would be good witnesses, because I would like to get down to the iron bottom facts on this Baker East and Baker West.

Mr. BARRETT. The men who were involved were Dr. D. K. Bailey, the propagation expert of the Bureau of Standards; Dr. J. B. Wiesner, of the Massachusetts Institute of Technology; Mr. A. D. Ring; Mr. Morris Pierce; and then broader studies that encompass this, encompass the entire Ring plan, were made by Dr. E. M. Purcell, the Nobel Prize winner from Harvard and Dr. W. W. Salisbury, director of research of the Collins Radio Company; and Dr. L. V. Birdner, formerly of the Carnegie Institution and now president of Associated Universities Incorporated, Patchogue, New York, and he has a connection, I believe, as supervisor with the Brookhaven operation.

Those gentlemen originally participated in this.

Mr. COHN. This is in the Ring program but not Baker West?

Mr. BARRETT. Including Baker West.

Mr. COHN. You say they approved Baker West in Seattle?

Mr. BARRETT. I do not know, but they gave me an endorsement of the Ring Plan as a whole.

Mr. COHN. But without pressing that point, they might have endorsed the idea of having a station?

Mr. BARRETT. This was more than an idea, because at that time the thing was mapped.

Mr. COHN. I am trying to get from you—I agree with you—did they want the particular West Coast transmitter to be located in Seattle rather than in California? Is that your statement as to what they said?

Mr. BARRETT. I cannot say on that in detail, but I do know that I asked them to study the entire program for me, and I also asked Dr. Wilson Compton to spend several weeks before he took office, consulting with engineers and let me know whether the entire Ring Plan, including Baker East and Baker West, was correct.

Mr. COHN. Did that finish your list of names on that?

Mr. BARRETT. Yes, except to say, sir, that if you had asked me if I wanted to testify today, I would probably have said, "No, thank you." If you had requested me to, I would have done so. I think that you will not find many people of this stature that are eager to come down and testify, and most will beg off today if they are consulted.

The CHAIRMAN. Let me ask you: You said that if you were asked whether you wanted to come, you would perhaps say "no." Do you feel that you have been mistreated or brow-beaten by the staff of the committee?

Mr. BARRETT. No, I do not.

Senator MUNDT. As I understand it, Mr. Barrett, the last three names that you have listed were people who were for the Ring plan per se, including Baker West, but may not have decided whether

Baker West should be in Seattle or California; but the first names were names which felt that the Baker West was at the right place; is that correct?

Mr. BARRETT. Yes. I am not sure that the last group of names specifically were investigated, and I am not sure that they did not decide about the precise location. I do know that they reviewed the program.

Senator MUNDT. I suggest, Mr. Chairman, if there are names on that list that we have not contacted, we contact them, because all of us are interested in having projection stations at the proper places.

Mr. BARRETT. This might be of interest to the committee too, and it is a statement prepared by Dr. Wiesner, at my request, at a time when there were criticisms of the Radio Facilities Branch, and I asked this group to give me their best appraisal of the facilities branch and the personnel involved. There is a list of names in here, and they did that along with the other projects.

The CHAIRMAN. We will mark that as an exhibit. Thank you.

Mr. COHN. I just wanted to say a couple of things here, if I may. First of all, as to Dr. Compton being frightened and then evidence of the fact he changed his testimony before the Hickenlooper committee and then came out and said he thinks it was all right to leave those two things where they are.

Dr. Compton's words when he learned of our disclosures concerning the Baker Wert contract were that, "It was fantastic," as I recall; and the minute the facts came out and were developed, he ordered it canceled because he regarded it as one of the most outrageous contracts he had ever seen.

Mr. BARRETT. Are you talking of location?

Mr. COHN. I am talking first of all as to contracts.

Mr. BARRETT. When I spoke of Dr. Compton, I was speaking of locations.

Mr. COHN. He regarded Baker West as still located in the proper place? That would be quite a surprising statement to me, and I looked at the Hickenlooper record, and I do not remember seeing that.

Mr. BARRETT. I would like to re-check the record as to precise words, but the impression given was that he thought we should go right ahead with those projects.

Senator SYMINGTON. I would just try to be constructive about this situation with you. You were running a big program and you were trying to do a job quickly. Many a good plant has a poor department in it. I agree with you entirely about Miss Lenkeith; she did not impress me at all. But I think that you ought to know—and you should not be in this work if you do not try to be fair—that this fellow Harris, Reed Harris, gave us five names to check like you are doing now, and three of those five, to the best of my memory, agreed that the place the station was was wrong. That is number one I want to comment on.

Now, secondly, about McKesson. It happens that I disagreed with the chairman and the staff about the ability of one of these engineers that they thought was pretty hot. Perhaps I was wrong. I studied a little engineering, but McKesson rather impressed me, and I did not know about his record—I checked his record in RCA

personally, and I thought that based on what he said, that he was right, and a fellow named Herrick was wrong. I just want to present these from this standpoint.

Herrick's record, incidentally, was checked, and he was found to have no engineering background at all from the stand point of education. I think that that is a fair statement.

Another thing is that I have no idea, and have formed no conclusions, and I have not been convinced there was any conspiracy in this thing. Do not misunderstand me. But I do think that you went a little strong on us here from the standpoint of this is a full committee and not just one man. We wired three fellows, and we got wires, and we took them up to the chairman who demanded that they be heard, and they had not been heard. Two out of those three said they did not want to be heard, after they had wired and demanded to be heard, and I just want to give you some of this stuff as I remember it.

Now, one thing that I submit for your consideration, you used the words "disgruntled and frightened." Well, if I say anything here, counsel, that is wrong, I want you to correct me, and I want you to be sure that Mr. Barrett gets the information properly, because I certainly want to be accurate. Perhaps the thing that worried me the most was that I was in New York one time, and I went up to the chairman's place to tell him that I could not participate in a hearing the next day, and he had a fellow in the State Department who was certainly not disgruntled, and he was certainly not frightened, and he had a very high job in the State Department organization. I started counting the number of times that he said, "Senator, if you will look into this thing"—I do not think it is fair to use his name—"if you will look into this thing, you will find out that this is bigger than the Hiss case." I would say he said that in my presence not less than half a dozen times. He had just recently been promoted in the State Department.

Now, I have great respect for you and the work that you did, but in trying to arrive at a decision on this Voice of America, my impression is that it has been pretty inefficiently managed, based on the witnesses. They have not been disgruntled and have not been frightened; you are just getting started, and I do not blame anybody for that. Some of them may have been disgruntled, and some of them may have been frightened, but a lot of them were not disgruntled or frightened, and it worried me a little bit that you embrace this whole thing, from this angle, because I think it is only fair to say that a lot of the criticism has come from State Department.

As to whether these people had an axe to grind, frankly, I do not think that that was true about some of them, and I wanted you to know that.

Mr. BARRETT. I appreciate your speaking so frankly, and I would like to say, for your benefit and the benefit of the rest of the committee, that I have a great deal of respect for most of the members of this committee.

Mr. COHN. May I submit this record of Dr. Lenkeith's testimony. I find no statement here about what he stated took place; maybe he can find it.

The CHAIRMAN. I called Mr. Barrett here principally for two reasons; one was to see if he could tell us who picked the Communist books while he was to a great extent in charge of the program, and whether he knew about their being selected and whether he approved of that. The other was upon the suggestion of some of the members of the Hickenlooper committee, when he said we had handpicked and well-rehearsed a group of disgruntled and frightened little men.

I think that you should know that as of now the record only shows the names of four of those disgruntled people that you named, and we have had a total of some seventy-two witnesses. That may be a repetition of some, because some were called several different times; but considerable over fifty witnesses were called.

Now, you do not designate them in your statement. If you know of any more than four, good; and if you do not, that is all right.

Mr. BARRETT. Senator, of those who were given national television exhibition, it seems to me, and as I say, to newspapers and others, it seems to be fairly evident that they were.

Mr. COHN. Was McKesson on television?

Mr. BARRETT. I have forgotten.

Mr. COHN. I am quite sure he was not.

Mr. BARRETT. No.

The CHAIRMAN. Let me ask you this: You were in the department, and if someone from the opposition paper had made the statement, you would pay no attention to it. But you were in the department and many of these individuals who were concerned, I assume, were known to you. Therefore, I assume that you would be in a position to tell us which individuals out of the some seventy or the number called, which ones you consider disgruntled. Do you know?

Mr. BARRETT. Senator, you had two witnesses on there, Mr. Doohar, and the chief of the Hebrew Desk Dr. Glazer.

The CHAIRMAN. Would you call them disgruntled little men?

Mr. BARRETT. I would rather speak a little more precisely on that.

The CHAIRMAN. All right.

Mr. BARRETT. According to the testimony that appeared on television, they were having certain of their operations cut down. The department said, I believe, it was done on budgetary grounds. Any executive in a government agency who is having his division cut down can be assumed to be disgruntled.

I have been in a situation somewhat like yours. I used to have these cases coming to me many times, with violent protests from this or that language desk because the budget for that desk was being cut. I tried my best to have every one investigated, and investigated well by individuals who—

The CHAIRMAN. Just so you will not be unfair to Mr. Doohar, are you aware he is a foreign service officer and his job does not depend upon the Hebrew Desk, and he was requested, and he has been promoted a number of times in the last year, and it would appear to be anything but disgruntled on the basis of his record.

He said himself he was promoted so often and so rapidly in the State Department he began to wonder what was wrong.

Mr. BARRETT. I believe, Senator, he used the charming line that he was "gruntled," did he not?

The CHAIRMAN. That is right.

Mr. BARRETT. Actually, Senator, I am glad you brought that out, because I do not mean that he was a person who had been demoted, but it was my experience in government work that anyone whose budget was being cut for some or all of his operations became at least temporarily a disgruntled person.

The CHAIRMAN. You have given us the names of six.

Senator MUNDT. I want that for committee guidance. Suppose he was disgruntled, and I presume that you are right when a man's budget is cut down. But we get a tremendous number of witnesses before all of our committees to whom that has happened, and does that make all of their testimony suspect?

Mr. BARRETT. A tremendous number of witnesses—

Senator MUNDT. Witnesses who come in, who are disgruntled because they have not got a promotion or because their department has not expanded or it has been cut down. Would you suggest that their testimony is all suspect?

Mr. BARRETT. Oh, not all of it, no.

Senator MUNDT. It would seem to me we have got to rely on their innate ability, and Mr. Doohar is a good honest public servant, and I do not believe that because of the fact that he was disgruntled he would misrepresent the case. It might open his mouth to talk a little.

Mr. BARRETT. If I could answer Senator Symington's rather long question

The CHAIRMAN. Before you go into that, do you list Doohar and Glasser as disgruntled little men? I am trying to get a list of these.

Mr. BARRETT. I would say in their case that they were unhappy men in the lower and medium echelons of the Voice of America.

The CHAIRMAN. Do you have any reason to think that they were not telling us the truth?

Mr. BARRETT. I think that they were doubtless victims of prejudice when, as I recall it, they indicated—

The CHAIRMAN. Senator Symington has to leave and perhaps you should answer his question.

Mr. BARRETT. I just wanted to say I appreciate what you said and the spirit in which you said it. If my words have sometimes been appearing a little strong, you must remember that I was sincerely wrapped up in this work for two years, and I believed very, very deeply that we have got to make this operation strong, and it is the only way it can be done. It is an indispensable part of overcoming these Communist gangsters, that I believe that great harm can be done in things of this sort unless it is handled—

The CHAIRMAN. Do you think harm has been done?

Mr. BARRETT [continued]. On balance, yes.

The CHAIRMAN. You think harm has been done?

Mr. BARRETT. Yes, and I would be glad to spell that out, but I would be glad to spell out a suggestion, if I may.

The CHAIRMAN. You may.

Mr. BARRETT. Regarding Reed Harris and the names that he gave you, I can only say this, that I gave you these names in a spirit of these being names that I know reviewed this plan on my

behalf at the time when I was in office. These are names, in one case there, who specifically went over this Baker project, and based their information on the propagation studies of the Bureau of Standards, and the RCA, and I believe the Army Signal Corps, and came up with a recommendation that Seattle was the best site; and when questions were raised about it in 1951, they reviewed again the MIT group and came up then with a finding that it was the best site; and that is all available in the correspondence and very voluminous correspondence that was in existence when I was in office.

As to what has happened since then, I do not know. I do know that that was a case there. Seattle was pinpointed as the place.

The CHAIRMAN. I am going to have to leave and I would like to ask you a question.

Mr. BARRETT. May I continue with Mr. Symington's question? I have not intended to be, I repeat, unfair to the committee and all of that. I repeat that I feel very strongly about this, the disgruntled and frightened men. It is an impression that I can probably buttress with other names if I went over a complete list, and I think that in all sincerity I must say that a committee like this is trying to get to the facts, and I am sure that you are, and that you should certainly call as witnesses the committees which Congress itself set up, and the 80th Congress by the way set up, to serve as watchdogs on behalf of the Congress.

I think you are familiar with the membership of one that included people like Philip Reed, Mark May, head of the Institute of Human Relations, and Mr. Cannon, former head of the ASNE, American Society of Newspaper Editors, and Justin Miller of the National Association of Broadcasters.

They have been studying this program, with particular reference to its impact abroad. They have been doing that for five years and doing a very, very conscientious job. I think their general findings have been false here and false there and needed improvements there; but there has been consistent improvement in the program.

The CHAIRMAN. Could I ask you a few more questions?

Senator SYMINGTON. Will you excuse me?

The CHAIRMAN. I am going to have to leave very shortly. Do you think it was improper for this committee to expose the fact that Communist writers have their works on libraries throughout the world, purchased by the United States? Do you think we should have kept that a secret?

Mr. BARRETT. Do you want an honest reply? I do not think, and I know you want an honest reply, I do not think that it was unfair to expose the existence—

The CHAIRMAN. Will you try not to give me a long lecture because I have to leave. Do you think it was unfair or improper? You can answer that yes or no.

Mr. BARRETT. I will have to qualify it. I would say no, but I do consider it unfair, sir, to put Earl Browder on the stand for a protracted hearing without informing the public of the number of his books in existence or without finding out whether any of them were actually purchased. And I doubt seriously if any were purchased.

The CHAIRMAN. Do you mean that if the books were used and not purchased, that it would be all right to have them?

Mr. BARRETT. No; to have them at all, they would have to be on restricted shelves for various specific use.

The CHAIRMAN. For your information, a check was made by the State Department and it was determined that Browder's books were being used and it was all made a matter of public record.

Mr. BARRETT. Was it determined how many?

The CHAIRMAN. They told us they could not tell us how many.

Mr. BARRETT. Was it determined whether they were open shelves?

Mr. COHN. On open shelves; I am relying on what the State Department tells us.

Mr. BARRETT. Very clearly there is no business having Earl Browder's books on an open shelf.

The CHAIRMAN. Let us get to the next point. Did you feel it was improper to expose the mislocation of Baker West?

Do you think that that should not have been done?

Mr. BARRETT. I will have to reword that one, sir.

The CHAIRMAN. All right. You may.

Mr. BARRETT. I am not convinced yet that Baker West was mislocated. I just do not know. I know that the original location was based on the best advice I knew how to get, and I do think that if there were charges it was mislocated, then all of the best technicians who participated in the original location should be called and heard even though some of them may not want to be heard.

The CHAIRMAN. I am going to have to leave, and I have nothing further to ask. If you have any further questions, will you proceed.

Senator MUNDT. Would you not feel that it served the public interest to bring this controversy about Baker East and Baker West to the point where it has now arrived, which is to stop the contracts and stop the construction until Dr. Johnson and his staff have an opportunity to try to assay and to evaluate this very confusing welter of evidence that we have had?

Mr. BARRETT. I think certainly that Dr. Johnson should have an opportunity to evaluate any confusing welter of evidence or of testimony. I think it was unfortunate, sir, that charges of sabotage, which to my knowledge have not been proved by any means, were added at that time, and I think that it would have been preferable for a committee with a great responsibility that this one has to have sought out people who originally recommended this, before airing one side of the case.

Senator MUNDT. That was really done. If an error was made there, it was the error in behalf of Mr. Crosby who spoke for the State Department, in submitting us names who, as I recall, and as Senator Symington said, either agreed at this time with the findings of those who said the location was bad, or who gave reasons why they didn't want to testify and said they could not testify on the other side.

So that we did make an honest and conscientious effort to bring into focus this other evidence. As a matter of fact, the committee never did go so far as to arrive at conclusions on it. We got into the picture of suspending operations at the time when the testimony of the State Department was it was costing us \$1,000 a day to maintain the whole thing in the status of suspended animation,

which we said was ridiculous. They even said they were spending \$5,000 a year guarding a piece of land out there. We said that is a waste of public funds.

Mr. BARRETT. I think that where there is an allegation as serious as sabotage, it would be well to summon the men responsible for recommending the decision.

Mr. COHN. I was going to say this, you see Mr. Barrett, the trouble is you closed the door the day you walked out of the State Department and as of the time you left there is no doubt that Dr. Wiesner and people at MIT thought Baker was properly located. But if you had followed the transcript of the hearings here you would find a memorandum of July 7, 1952, I do not know if you have looked at it or not, from General Stone to Dr. Compton, which sets forth the fact that Dr. Wiesner at MIT and every one else concerned has after mature consideration changed his mind about it and felt he was wrong, regardless of whether he had been right originally, that it was mislocated, and that there should be a prompt change in location from Seattle, Washington to some point in southern California.

Now, after that recommendation was made, General Stoner wrote a memorandum saying yes, they make this recommendation and I can't criticize it because nobody disagrees with them. But if we do make the change there will be a congressional investigation and we will have trouble getting funds from now on, and so on and so forth, so we had better go ahead even though it means we are going to have to worry about output efficiency up at this place and we are going to be constantly watched on that score from now on, and what we are doing is "more than a calculated risk."

Now that happened after you left the department, and so the record clearly indicates that Dr. Wiesner came in and said, "Gentlemen, if I said this originally I was wrong." This is on July 7, 1952, and it is now mislocated and he was joined in that, by RCA and by Mr. James Welden, and by everybody else concerned in the thing, and that was that. In spite of those recommendations, they went ahead until this committee began its hearings and as soon as it did the next day they suspended this, and Mr. Reed Harris, himself, who I certainly don't think can be called friendly to the committee, testified in open session before us, that in his opinion on the basis of all of this that Baker West was clearly mislocated and should not be constructed in its present site.

We have looked high and wide to find somebody who—Senator Mundt has been asking about it—who will come in here and tell us that it is in the right place, and we have found absolutely nobody.

Mr. BARRETT. I believe if you will call that list of five witnesses that Dr. Compton told me were originally given to you, and not just invite them but subpoena them, you will find that there is at least a serious question as to whether it should be moved south or north.

Mr. COHN. Now, as to that list of witnesses, do you say that Dr. Wiesner has been untruthful when he has talked to the staff?

Mr. BARRETT. No, I would not say that of any of them, but I would say this, sir, that engineers can indulge in a great many "and/ors," and "on the one hand" and "on the other hand." And I

would think that this committee has almost an obligation to hear that kind of testimony.

Mr. COHN. You know Dr. Wiesner is quoted in the memorandum by General Stoner to Dr. Compton as saying he had agreed he had been wrong originally and that this finding should be changed.

Mr. BARRETT. I would imagine having dealt with engineers as much as I have that you should read the full letter of Dr. Wiesner.

Mr. COHN. It was not a letter, it was an opinion expressed in an oral conference. It was a unanimous opinion, and I might say this to you, that this committee has since had the benefit of the report from the chief of propagation division of the Bureau of Standards worked on by his entire staff, which shows that it is mislocated to the point that 90 percent of the time on certain hours, key hours, 90 percent of the days, it will require fifty times as much power if they go ahead at Seattle rather than move to a more southerly location. So we have not been able to get anybody who is going to tell us that there is any serious question about it.

Mr. BARRETT. You know what the basic problem there is. The basic problem is this: according to all of the best digests of engineering information I have been able to get and some of the key people I have talked to out of curiosity of late. The northerly location in Seattle will give you a stronger signal at peak periods when you do not have certain types of interference.

Mr. COHN. Which is almost never.

Mr. BARRETT. Which is about 95 percent of the time, I have been told.

Mr. COHN. That is very interesting because it is directly against what anybody has said at any time, including the original time when they recommended it to be located in Seattle. So I would be very much interested to know who is the authority for that statement. That would really be enlightening.

Mr. BARRETT. I don't have authority to quote the gentleman at this time. I don't feel free to do so. This is purely an advisory opinion, and I think however that you will find some substance to that if these five gentlemen are called. Let us say anyway—

Mr. COHN. I assume you want to be fair about this, Mr. Barrett.

Mr. BARRETT. Let us say 50 percent of the time. If it is further south, you will get more consistent projection of the signal but you will not have as loud a signal or as strong a signal during the optimum periods. So it gets down to a question of that sort. That seems to be the reason that the engineers can quarrel over it a great deal.

The point I am trying to make, Mr. Cohn, is that I don't think that that kind of difference, and I don't think that that fact that engineers have differed in the past or may have changed their minds, would necessarily mean sabotage.

Mr. COHN. I think Senator Mundt has pointed out there has been no conclusion arrived at by the committee. All that is quite clear, is, and I don't say it would not be a reasonable thing for somebody to at least look into, after the consistent opinions expressed. Are you familiar with the testimony of Mr. Pratt, the telecommunications adviser to President Eisenhower, before this committee?

Mr. BARRETT. I have not had access to the transcript.

Mr. COHN. Mr. Pratt testified that he has been dealing with the engineering department of the Voice of America, and IIA over a pe-

riod of time, in his capacity as telecommunications officer. And he was appointed by President Truman and after examination he was reappointed by President Eisenhower, and he is one of the top men in the field and he has complete responsibility to the president for all telecommunications problems.

Now, Mr. Pratt said in over a period of years in the course of a pattern of dealing with the engineering department at the Voice, and IIA, he found I think his words were "Gross incompetence throughout."

Now that is pretty serious and you wouldn't call him a disgruntled employee, would you?

Mr. BARRETT. No, I would not, but I have got right here, a statement signed by Mr. Wiesner and concurred in by Dr. Purcell and Dr. Burgman and Dr. Salisbury, in which they make statements to the contrary, and saying that there is evidence of a great deal of competence in it and that the ring plan is an ambitious step boldly conceived and in our opinion basically sound, and that they were amazed "to find that Mr. Herrick was not a graduate engineer because we found him to be well trained technically, able to participate actively in any discussion and quick to grasp the point of any new idea. In addition to his technical competence, he has a number of other characteristics that make him an excellent chief engineer for this division."

All I am saying is that I asked these gentlemen to give me their best opinions at that time, and they had been making a profound study of the whole Ring plan.

Mr. COHN. Without getting into the argumentative stage, an awful lot has happened and people have changed their minds and the opinion of Mr. Herrick is so changed he has been demoted and he was removed from his position up there, and at Senator Symington's suggestion the committee conducted an investigation and found that he took one year of pre-engineering and flunked out and flunked I think every engineering course that he took. Furthermore, that is one test and another test is as a practical result the testimony before the committee has been that he ran the department with considerable competence, and the State Department has removed him from his position.

Dr. Wiesner of course has a \$600,000 contract as a result of Mr. Herrick's intervention, and with Mr. Herrick's department. Of course, Dr. Wiesner is the man who made a mistake in an original selection of Baker West, which he has now conceded was a mistake, conceded on July 7, 1952.

Now, all of this happened since you left there and what concerns me very much is the fact that in spite of all of those things, you made that statement before the Hickenlooper committee and you make those statements in here today and I know you want to be fair about this. As Senator McCarthy said, you're in the position of someone, you are not a newspaper who doesn't know all of the facts, you are in the position of a man who has great responsibility for all of this, and when you say something I assume it comes with authority.

Now you made very serious allegations, and I do not take anything personally after this long in the game, although I will say I never had anybody say such about anybody who held public office

that high who was insulting in an unwarranted way as what you said.

Mr. BARRETT. May I speak to that for just a moment?

Mr. COHN. Surely.

Mr. BARRETT. There was one statement about allegations made elsewhere about a handpicked group of disgruntled and frightened little men. That was the one statement in which I clearly had in mind the hearings before this committee.

Now, there are other statements that have been so interpreted, and unfairly so interpreted, and for example, "a real fight against Communist imperialism does not mean going hog wild, misconstruing propaganda as a substitute for action."

Now, I have never thought that this committee was guilty of that. "It does not mean letting childish headline-hunters frighten us into such shrill and strident techniques as to antagonize at the outset those we seek to win over."

In that case I will be honest with you, I had some of the hearings of this committee in mind. I also had, however, many others, who say the Voice should be more vigorously anti-Communist. The Voice is already being criticized for being too violently and shrilly strident in some areas.

Mr. COHN. You think I am being over sensitive about the use of the word childish, that was not an allusion to my age.

Mr. BARRETT. I think you are being over sensitive.

Mr. COHN. It is used sixteen times in the statement.

Mr. BARRETT. I think in fact in one place I had some of the youngsters who within the Voice of America think that any effort by an ambassador overseas to tone down the output of the Voice of America, believe it to be more effective if it indulges in less name calling. I had in mind the young radio desk officers who often feel that way.

Senator MUNDT. I am going to turn this over to Senator McClellan because I have an office appointment. I want to ask two final questions. One being whether you would agree with the position that this committee has now taken in so far as Baker East and Baker West is concerned, as being explored by the new director of the Voice of America, who has access to all of this testimony and all of the facts, that that is the place where the decision should be made, since this unconscionable \$1000 a day suspension has been stopped and they have definitely terminated it to take another look at it.

Mr. BARRETT. I think it should be studied in this way, on the basis of all possible information.

Senator MUNDT. I don't think it would give us any help to bring in reputable engineers to make them admit, which apparently they would have to do, that their original statement was wrong. They would say if they still think so that would be one thing, but they are entitled to make a mistake, and we didn't want to subpoena them over their objections to make them admit that they were wrong. If you think that we should do that, and to make it seem fair, we could do that but I wanted your counsel on that. We thought the better place for them to testify would be before Dr. Johnson's committees.

Mr. BARRETT. Perhaps at this late date, perhaps you are right. I believe it was unfortunate that there was a connotation of sabotage, which was not a conclusion of the committee, I believe, but it was allowed to stand.

Senator MUNDT. Now, the other question, do you have in mind any witnesses or have any people who might come to you, up in the Voice of America, or down here because of your long contact with the department, that you feel who should be called who have not been called, and who can shed any additional light on any aspect of this hearing?

Mr. BARRETT. I would personally think it would be to the committee's advantage, in reaching its overall conclusion to at least talk with, and not call as formal open session witnesses, members of these advisory commissions because they have been watching this program on behalf of the Congress for a long, long time.

Senator MUNDT. I might say for your information we did correspond with them.

Mr. COHN. With every one of them.

Senator MUNDT. About the decision which the Department of State used to use certain kinds of Communist publications abroad, and we asked them if that was correct, because the State Department had said they got it from them, and I do not know how many of them answered, but I do know I got about two letters back, each one of which said it was confidential and we don't want to appear, but we did make that decision but we don't want to get up there and testify about it. So it was not very helpful.

Mr. COHN. Some said they were misquoted; seven said that.

Mr. BARRETT. In that case, just because two of them happen to have spoken to me, I think that some of the letters went to the wrong commission, and there are two commissions. Senator Mundt knows this, a lot of the letters went to the commission on International Information.

Mr. COHN. You are now talking to us because we have been talking to too many members of the commissions instead of not enough.

Senator MUNDT. If you have any suggestions, and it could well be that someone would say, "Look, nobody has called me and I think that I ought to be heard," and if there are such names and you can give them to us, I am sure that we will be glad to call them because we want to get at the facts ultimately. As far as I know, every member of this committee has said they want to see the Voice continued. Some have said it with more enthusiasm and some with less, but I have heard none of them say that they think it should be scrapped.

We want to wind it up on a constructive note and to make the best possible kind of suggestions and if you have witnesses that you believe do come in and say, "well, now, the line of testimony you got on this phase or that phase is bad, and let us get it right." We would like to bring them into the committee room, except as I say on the engineering thing, which is too technical for us to decide anyhow, and it seems to me there we serve no good purpose in continuing discussion of electronics which none of us understands.

Mr. BARRETT. Now, apropos of that, in the same Hickenlooper statement, despite all we have heard today, the majority of that

statement was supposed to be on the constructive side, and it was, I believe. It was based on the benefit of hindsight, saying, "I hoped my own hindsight would assist the foresight of others." I can say as far as constructive suggestions are concerned, those contained in the last four pages of the statement may be worthy of the committee's attention. I probably should not volunteer a statement, Senator Mundt, but there is one thing that I would like to say because I feel it very strongly as an American citizen. I feel that a great deal of care should be exercised by a committee of this sort in the open discussion of arrangements with other governments. I regret to say that I think harm has been done in dealing with pretty sensitive operations going on abroad in an open hearing sort of way.

Now, I grant you that the American people have a right to know what is going on. I am one who has long advocated publicly that there be a continuing committee to investigate this field. So I am certainly not adverse to investigations. But I do think that it is essential to handle with great care matters of policy and operations that are carried on in other countries.

May I go off the record for just a moment?

[Off the record.]

Senator MUNDT. You have referred and a lot of other people have referred in criticizing this committee, to these very hearings, and I am not as allergic to the criticisms as some of the other members of the committee, and Senator Symington who is new in the legislative game. Having served on the House Committee on Un-American Activities, I know what criticism is. So it couldn't bother me.

But on the very thing I think it should be understood that this committee has no control over what is televised other than that we can bar a television if we want to, but it isn't a question of our inviting them to say this is the day the TV will show and this is not. We have set up the rule temporarily on a trial basis. We should not be the judge of different media of communication, that is our decision, and if the hearings are open to the press and to photographers and to the radio, it is also open to the TV people if they want to avail themselves of it without using a lot of lights and sounds and noises to disrupt the committee, so it is not quite fair to say that we televise one witness greatly and then not the other fellow. It is the TV people who decide that, and that is a judgment made by them and not us. I think that that should be in the record because I think it is generally misunderstood. We said that early in the game, did we not, Mr. Cohn?

Mr. COHN. Absolutely.

Senator MUNDT. They decide if Stassen comes it is a good show and so they put it on and if somebody else comes they don't put it on, and when Browder comes they think it is a good show.

Mr. BARRETT. Because you and Senator McClellan are interested in a strong Voice of America, I can only say on that that on those days when you know that you are going to have television on, I wish that you would put a witness—

Senator MUNDT. We do not know. We schedule the witnesses.

Mr. SURINE. At the specific request of Mr. Harris, the television people stayed out an extra hour just to accommodate Mr. Harris.

Mr. BARRETT. They may have in Washington but they didn't in New York.

Senator MUNDT. At his request, and so we asked the TV in the room, "Will you go on for another hour?" and they said yes.

Mr. COHN. I am very glad you said that for the record, because the fact is that we have absolutely no control and we don't know on Monday, they didn't know they were going to televise the thing until an hour before and they were going to do UN and that was canceled and the last minute they came in here.

Senator MUNDT. If we decided this was to be an open hearing with you, the TV might decide to come in. They put their machine up and it is still a decision which is tentative on our part whether we should admit television or not, and many other committees are dealing with that. We think we will give it a trial and it may or may not be good public policy.

Mr. COHN. Before Senator Mundt goes, I think this is clear, and you say you want a good Voice of America and a strong one, and I think we all do. Now, you don't think and you are not suggesting are you, that there should not be an investigation on that when not only false but very grave faults come to the attention of the committee, and do you feel—

Mr. BARRETT. I do not think if very grave faults came to the attention of the committee, it should refrain from going into those fully. I do think that it should use discretion in what it makes public, and what it makes not public.

Mr. COHN. We have been trying to use the greatest discretion we can.

Mr. BARRETT. I would like to see less of it public from the nation's standpoint, that is all.

I personally think that a committee that covers as wide a field as this will have difficulty doing the continuing job that needs to be done in this field, and that is why I have personally advocated a joint committee with a continuing charter to study this whole complex and extremely intricate field.

Mr. COHN. A lot of this has been going on, you say there are constant committees going around visiting just to correct the situation, and apparently no one found out about this and we found out about it. That is about the book situation.

Mr. BARRETT. Are you fully convinced that the books are on the open shelves of many libraries?

Mr. COHN. Mr. Barrett, there is no doubt about it, unless the State Department's whole system is just phony from top to bottom. Our lists, there is a file located in the Library of Congress of what they call the master file which is made up as a result of slips being sent over from the State Department after receiving information from the field that such and such a book has been placed on our open shelves. Now if that whole file is out the window, I suppose that is one thing. But if the file is accurate, as we have been told by the State Department it is, or if there is any accuracy to it, there is not one or two, but there are thousands of books by Communists on the open shelves of the State Department libraries. I might say there is no element of doubt here because we have actual witnesses, some of whom have testified that within the last three weeks have seen these books on open shelves and information centers, and so I can say to you that there is no doubt whatsoever.

Mr. BARRETT. Are these books by Communists or Communist books?

Mr. COHN. Books by Communists and Communist books.

Mr. BARRETT. Books by Communists are a good deal harder to detect, like Dashiell Hammett.

Mr. COHN. These are books calling for the overthrow of the United States government, and books published by International Publishers, the official publishing house of the Communist party, and books containing from cover to cover a number of them, the Communist party line, written by present-day members of the Communist party.

Senator McCLELLAN. The only surviving member of the committee is about to depart, and before doing so I just want to ask you one or two questions for the record, and then I should like to make a little comment to the witness off the record. I may preface my question with this statement:

Obviously, and apparently and admittedly, some of your testimony before the other committee was definitely intended as criticism of the actions of this committee in the investigation of the Voice of America. Was it your purpose in making that criticism, which you had a right to make, whatever your purpose, to be constructive or was it simply for the purpose of affecting adversely the work of this committee in conducting this investigation?

Mr. BARRETT. Senator McClellan, my purpose and I can say in all honesty, was constructive. I believe that if we are going to carry on a program of this sort in a field in which we Americans are relatively inexperienced, just learning our way, that it is necessary for us as a people to refrain from certain things, and to refrain from over-estimating the value of propaganda, falsely thinking it can be used as I said as a substitute for action. I think it is important, knowing the difficulty of recruiting good personnel I think it is important to refrain from demoralizing an organization through criticism of a one-sided nature, perhaps. I think that it is necessary to do a great many of these things in here if we are going to conduct an intelligent propaganda program. That is a reason, sir, that I advocate a continuing congressional committee with an investigating staff that can look into this thing, not just for two months, but permanently.

Senator McCLELLAN. Well, I accept a number of things in your prepared statement before the other committee as being definitely intended as constructive suggestions or testimony that you thought would be helpful in this matter. Certain sentences or statements in your prepared statement to the committee about which you have already been interrogated, clearly imply, I think, that it was intended not to be so constructive as it was to be destructive of the influence and prestige of the committee. That is a reason I asked you that.

For all purposes, I want to be as fair as I know how, and I do not doubt that sometimes, and maybe more times than I realize as a member of the committee, that some criticism of the committee and of individual members of it may be justified. I am not shielding anyone or trying to defend anyone that may have transgressed at some stage in a proceeding. But I thought it was a little bit, if I may say it this way, a little bit severe to go before another com-

mittee and almost preface your testimony or open your testimony with a definite criticism of this committee which appeared to be for destructive effect rather than for constructive purpose.

Mr. BARRETT. Well, sir, I understand your point, and I appreciate it, and perhaps if I had had a little longer time to prepare the statement I would have been more careful to word it more tactfully. The deadline for it was backed up on me very suddenly at the last minute. I was asked to appear before I thought I was going.

Mr. COHN. Did you volunteer as a witness?

Mr. BARRETT. No, I was requested to appear. But let me say this, sir, that I have seen this group and the Voice of America and I twisted the arms of a certain number of good people to get them on the group. They needed first-rate people, that is one of the difficulties, and I have seen them, a few of them happen to be friends, virtually ashamed of the fact that they are working in the Voice of America due to the headlines growing out of this inquiry. That has made me feel along with some of the other facts that I have mentioned that the net effect has been more harm than good.

Senator McCLELLAN. Then you think that the work of the committee to date has done more harm than good? In other words, it has not produced more constructive results than it has done harm.

Mr. BARRETT. That is my sincere belief and no doubt some of you will disagree with me.

Senator McCLELLAN. I am not trying to disagree, and I am only trying to get the record clear.

Mr. BARRETT. Let me say that the publicity growing out of some of the committee's activities has on balance done more harm than good. I think that that is a fairer way to put it.

Senator McCLELLAN. You have a perfect right to evaluate the work of the committee.

Mr. BARRETT. I did so only because you asked me.

Senator McCLELLAN. I did ask you, because you have testified before another committee in which apparently you evaluated it. Your testimony was given wide publicity, and has caused some comments to be made and I want to say that I am not now criticizing you for having given the testimony. I am trying to get a record here whereby I can better evaluate the testimony that you gave.

Now, you have even in that testimony, repeated today, you testified regarding people who were disgruntled. I wonder if anyone could assume or there could be any possible implications that because you formerly occupied the position that you did, that one would be equally as justified in assuming that you are momentarily unhappy, we will use that word, instead of disgruntled, because an investigation of this agency is in progress by a committee.

Mr. BARRETT. I am not now with the agency and I have not been for more than a year, as you know. I feel very strongly that the agency must be as strong as possible and therefore I am unhappy when I think damage is being done to the agency, the net effect through inquiries, but the net effect of which I happen to think has done more harm than good.

Senator McCLELLAN. The only reason I am mentioning this and putting this into the record, is simply because no matter what the committee does, if it brings witnesses in here who are in the serv-

ice, or in the agency to testify in any degree critical of anything that goes on, then the first thing we hear is that they are disgruntled or unhappy people because their suggestions were not adopted or because they did not get a promotion or because they have since left the agency. So all of these things, if they are to be evaluated and weighed in connection with the testimony, and no credence is ever given to good faith of witnesses who appear, who may have some position or have had some position, then the whole investigation is useless.

You have to, I think, take each individual witness as he testifies, with his background and with his demeanor on the stand, and weigh it in the light of all of the circumstances.

So I can agree as to one witness whose name has already been mentioned. I did not get the impression necessarily that the woman was disgruntled, but I certainly didn't give great weight to her testimony. But some of the others whom you mentioned, I thought were very sincere people and were trying to be helpful to the committee.

I have one other point I wanted to mention and to get your views on this: This question of television has given me considerable concern. I cannot make up my mind definitely whether these hearings or hearings of this nature should be televised. That is first because I can appreciate that the lights and those things sometimes give the witness some sense of uneasiness, or lack of being calm and so forth. At the same time the hearings are public. Are not the rest of the people of the nation who are citizens entitled to see if they can, and be present at least by television, to witness the proceedings just as much so as those who are permitted to come into the committee room and witness in person?

Now, that gives me concern. I don't know which is the right answer. What is your view regarding it.

Mr. BARRETT. I can only give a partial view. I do not have the overall answer. I should say it is important that when a witness is called who is denouncing another individual that it is important that some way be found to give the other denounced individual an opportunity to answer as promptly as possible, and also on television.

Senator McCLELLAN. I think that that is correct. And I do not know of anyone who would object to that. The question is if they are not immediately available and of course you just cannot have them all here at the same time.

Mr. BARRETT. Scheduling is difficult, and all of that, but I think great injustice is being done in that way.

Senator McCLELLAN. I think that there is a great problem involved here, and I do not know how to solve it. I have been giving it a good deal of consideration. I may ask you this, too: Do you not agree that the committee could do better work so far as the committee's tasks are concerned, and the Congress itself, if all of the testimony should be taken in executive hearings?

Mr. BARRETT. I would think so, very definitely.

Senator McCLELLAN. I think so, too, but if you undertake to do that then you are having star chamber proceedings, and you are denying it from the American public.

Mr. BARRETT. In a field as delicate as this, I would think so.

Senator McCLELLAN. You see the problem we have. I would like to find the right answer, but I am unable to do so as of now.

Mr. SURINE. Mr. Barrett, you have had a high position of responsibility in the State Department, in the past, and I presume that you feel that at no time any individual should make any charge unless he is careful to prepare the facts, would you agree with that opinion?

Mr. BARRETT. What is that?

Mr. SURINE. That no individual of responsibility should make any charge or statement without being fully prepared with his facts carefully.

Mr. BARRETT. He should not make a factual statement without being in possession of the facts.

Mr. SURINE. Do you agree with that or not?

Mr. BARRETT. I agree he should not make a factual statement without knowing the facts.

Mr. SURINE. Prior to today did you know that we had worked very closely with General Smith in connection with certain matters in connection with this hearing?

Mr. BARRETT. No, I did not.

Mr. SURINE. Prior to today did you know that we worked in connection with these books from an official list given by the State Department, to us, books currently being used?

Did you know that?

Mr. BARRETT. Yes, I do know that.

Mr. SURINE. Did you know that the books were on the open shelves?

Mr. BARRETT. No, I did not know that.

Mr. SURINE. Prior to today.

Mr. BARRETT. I am not sure yet.

Mr. SURINE. Prior to today did you know that we had contacted many, if not all, of the engineers that you suggested as well as Mr. Harris, and did you know that?

Mr. BARRETT. I knew that the staff had done so, but I didn't know the committee had done so.

Mr. SURINE. Prior to your testimony the other day, or prior to today, you have made no effort to read the public printed hearings that we have had before this committee, is that right?

Mr. BARRETT. I have not had access to them.

Mr. SURINE. You have open access to it.

Another thing: Prior to today did you make an effort to contact any staff member of this committee to straighten yourself out on certain facts before you testified before the Hickenlooper committee? That is prior to today or any other day.

Mr. BARRETT. Did I make any effort to do what?

Mr. SURINE. To contact any staff member of this committee to get your facts straight.

Mr. BARRETT. No. Now wait just a minute.

Senator McCLELLAN. Let the witness finish his answer, I believe in letting the witness answer the question.

Mr. BARRETT. No, because there were no facts that I felt that I needed from the members of the staff.

Mr. SURINE. Now, several of your answers you have stated for instance on disgruntled employees, you furnished information which

was merely your opinion, or your belief or hearsay. Do you as a man of responsibility not having acquainted yourself with the facts, feel that it was responsible to have made such charges?

Mr. BARRETT. I am sorry, but I have acquainted myself with facts by reading every bit of newspaper copy and watching all of the television shows that I could on it.

Mr. SURINE. Now, one other question. What was the nature of your circumstances of hiring David Cushman Coyle?

Mr. BARRETT. Exactly as stated.

Mr. SURINE. I will withdraw the question.

Mr. BARRETT. I put out a statement on that which I will be glad to make available to you.

Senator MCCLELLAN. That gets into another field and I have to leave at this point.

We will recess at this time.

[Whereupon, at 4:45 p.m., the hearing was recessed, to reconvene at the call of the chairman.]

## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—In an open session during the morning of April 1, 1953, the subcommittee heard from Freda Utley (1898–1978), a former Communist party member then writing for the anti-Communist periodical, *The Freeman*. She had published an article, "Facing Both Ways in Germany" in *The Freeman*, (December 15, 1952) critiquing the books stocked by American libraries in Germany. In her testimony, Utley noted that the original Four-Power occupation agreement in Germany had prohibited sending anti-Soviet and anti-Communist books to Germany, and that therefore none of the U.S. libraries had a specific category on communism in their collections. She then analyzed the catalogs for books by those she identified as Communists or Communist sympathizers. Utley testified again in public on May 5, 1953.

Dan Mabry Lacy (1914–2001), who had headed the Information Center Service program during the Truman administration, from 1951–1953, testified in closed session that afternoon, to explain the libraries' policies for including books in their collections. He was not called to testify at a public hearing.]

WEDNESDAY, APRIL 1, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:45 p.m. in room 155 of the Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator John L. McClellan, Democrat, Arkansas; Senator Stuart Symington, Democrat, Missouri.

Also present: Roy Cohn, chief counsel; David Schine, chief consultant; Ruth Young Watt, chief clerk; John D. Leahy, deputy assistant to the under secretary of state.

The CHAIRMAN. Mr. Lacy, would you raise your right hand? In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LACY. I do.

Mr. COHN. Mr. Lacy, give us your full name.

### TESTIMONY OF DAN MABRY LACY, MANAGING DIRECTOR, AMERICAN BOOK PUBLISHERS COUNCIL, FORMER ADMINISTRATOR, INTERNATIONAL INFORMATION IN CHARGE OF INFORMATION CENTER SERVICE

Mr. LACY. Dan Mabry, M-a-b-r-y, Lacy, L-a-c-y.

Mr. COHN. And where are you employed now?

Mr. LACY. I am managing director of the American Book Publishers Council.

Mr. COHN. Now, you have been with the government; is that right, Mr. Lacy?

Mr. LACY. Yes, since January 1936, until March of this year.

Mr. COHN. January 1936, until March of this year. Could you tell us what positions you held?

Mr. LACY. From January 1936 until December '41, I worked for WPA and as assistant state supervisor and then state supervisor and regional supervisor and assistant national director of the Historical Record Survey.

From December '41, until June '42, I was executive secretary of the Committee on Conservation of Cultural Resources, which was set up by the National Resources Planning Board.

From June '42 until July '47, I was with the National Archives as assistant to the executive officer and later assistant to the archivist, and later director of operations.

From July '47 until September 1951, I was with the Library of Congress as assistant director of its processing department, and later deputy chief assistant librarian. I was on loan from them—

Mr. COHN. Excuse me. Who was librarian, when you were deputy chief assistant?

Mr. LACY. Luther Evans. He has been librarian since 1945.

Mr. COHN. You were up to the point where I think you said in 1951 you were deputy chief assistant librarian of Congress.

Mr. LACY. Yes.

Mr. COHN. You served in the Library of Congress first under Mr. McLeish and then under Dr. Evans?

Mr. LACY. Well, to a pro forma sense I was there under McLeish. I was actually serving as executive secretary of the Interdepartmental Committee on Cultural Resources, which was a committee of the National Resources Planning Board, but the Library of Congress paid my salary for six months. I never was in the agency.

Mr. COHN. Now we are up to 1951, and would you tell Senator McClellan what you did from 1951 until you left?

Mr. LACY. From September 1951 through January of this year, I was on loan from the Library of Congress to the State Department as director of the Information Center Service to the State Department, which has charge of the Washington backstopping of the overseas libraries.

Mr. COHN. Then during that period of time, you were the head of these information centers. Is that right?

Mr. LACY. Yes. I was head of the immediate service that backstops them.

Mr. COHN. In other words, as head of it, of course, you were only the head of one of five subdivisions of the International Information Administration?

Mr. LACY. That is right.

Mr. COHN. You have the Voice of America, which is a broadcasting subdivision, INS, the press and the movies, then the Educational Exchange Service, which handles exchanges of students and so on, and then you have the Information Center Service, which sets up the libraries that this committee has been investigating.

Mr. LACY. Well, it procures material for them and develops operating policy. The library in each country is under the ambassador and the deputy for field programs.

Mr. COHN. What interests us is your function as head of these information centers, which contain these libraries.

Now, Mr. Lacy, am I correct in assuming that you have followed to some extent the hearings of the committee during the last two weeks?

Mr. LACY. Yes.

Mr. COHN. And the fact that there has been a disclosure that books by Communist authors are on the open shelves of various of these information centers?

Mr. LACY. Yes.

Mr. COHN. Now, I think what Senator McClellan and the other members of the committee would be very much interested in, and I know Senator McClellan particularly, to who is responsible for the fact that books by Communists were purchased and allowed, and, assuming the initial purchase was made, who was responsible for allowing them to continue on the open shelves of these Information Centers, and why.

Mr. LACY. I think I could answer that most clearly and probably with the least amount of doubling back for later explanations if I could take about five minutes to go over the general setup.

Senator McCLELLAN. I suggest you take your time to answer, and answer thoroughly, giving such background as you think pertinent.

Mr. LACY. Well, sir, there are presently, unless the number has changed since I left the department, a number of months ago, 199 of these libraries. Now, of this number, forty-nine are in Germany, and were established by the army.

Mr. COHN. When were they established by the army?

Mr. LACY. In various dates. Well, as a matter of fact, I am not technically accurate in saying all forty-nine were established by the army. But on various dates from 1945 and '46 on up until the State Department took over the administration of the information program in Germany. And the department itself has opened a few since then in what were formerly the French and British zones of occupation. The army had only the American zone. Most of them were established about '47 and '48.

Another batch of twenty-three are in Japan, established and operated by the occupation there, and taken over by the State Department in April of this past year.

Another several were in Korea, and they were originally established by the army there. Four or five in Latin America had been established by the coordinator of inter-American affairs in the war period.

Most of the rest had originally been established by OWI, during the war years. Of the total 199, perhaps twenty or thirty were originally established by the State Department. I don't have exact figures before me, and the twenty or thirty may be off by as many as ten or fifteen, but that is the order of magnitude.

Now, all of those libraries inherited, when the State Department took them over, the collections of books that they had in them at that time.

Mr. COHN. Such as the army may have already stocked them with?

Mr. LACY. Yes. Now, in the case of these German libraries, and I should add also Austrian, when they were first started, the initial book stock that was put in them was to a very considerable degree the collections of books that the army had had for recreational reading for American troops overseas, and were not selected for this sort of purpose really. The troops were being pulled out of most of them where these libraries were being closed up and in a rather indiscriminate fashion they turned them over to the libraries they had in Germany. So that there was a large group of inherited collections.

Now, to those, additions have been made in several different ways. The State Department itself, regularly, since it started administering this program, taking over the OWI part of this program, in 1946, and the other elements from the army at various later dates, has regularly sent out a monthly packet of books selected here in Washington and sent to all or to all in a given geographical area in the libraries overseas.

This, during the period from the early period, was the way in which most of the books, probably, were added—by these packets selected here and sent out.

But in addition to that, throughout the whole period, every individual librarian has had a budget against which he could order books from Washington. Now, when he ordered those, those orders would come in and be reviewed by a geographic desk officer for that area, and by a bibliographer, and if they both approved it, the book would be bought. I should have added that the book packet each month was picked up by a committee of several members of the staff, who might be different in any two months.

Also, each post had a so-called general operating expense allotment, from which they were able to buy materials locally out of local book stores, and to that case they did not have to get any Washington approval. Largely what they bought in that case was locally published translations of American books that had appeared in the local languages and were available in the local book stores. But sometimes they would buy an ordinary American edition of a book that was available in a book store there if they wanted to save the several weeks or months it would take to order them from Washington.

In addition, private American citizens who might be living in these areas and might have personal libraries of their own, might, when they left town, just stop by and say, "Look here. Here are some books of mine I would be glad to give to the library." And the local librarian might reject or accept them at his discretion.

Similarly, the Foreign Service Officer attached to the post might do the same thing when he was attached to another post and did not want to pack all of the books away to his library. And organizations and frequently corporations that publish house organs for their employees will frequently send them to all the libraries overseas also. So that they got books into the collections through all of this wide variety of ways.

Now, I would like to say one further thing, if I may, sir, which will, I think probably save explanation and answers to future ques-

tions, about the state of our records, of what is in the libraries overseas.

Since the State Department started operating this program, in '46, there is available to the department a complete record of all the books that were selected here and sent out in book packets. From about April 1947, there is a complete record on slips of all of the books that were bought here, either at the initiative of the department or at the request of the field. But those records on slips in the department do not cover materials acquired in all of these other ways, the ones that were already in the libraries when the department took them over, the ones that might have been bought locally, and all of that sort of thing.

Now, a considerable handicap in administering the program was our ignorance of what else besides what we had bought here might be in the libraries, or indeed what the State Department might have bought in the first year it operated it, except for the book packet.

Senator McCLELLAN. May I ask this question? I do not want to interrupt you, but at that point may I ask whether, at any time since 1946 or '47, the date you gave there—when the State Department took this over—there has been any screening of those books, any inventory of them or screening of them to determine whether objectionable material was being made available to those libraries?

Mr. LACY. That was the point I was just coming to, Senator, if I may go on along that line.

Senator McCLELLAN. All right.

Mr. LACY. Just as I came with the project and with the service in the State Department to September 1947, or a few weeks before that—it was nothing that I initiated—they had for the first time started on a comprehensive effort to build up a complete catalogue of everything that was in all of the libraries overseas, and they requested every library to send, in whatever physical form it might be possible—

Senator SYMINGTON. Who is "they"?

Mr. LACY. The State Department, my predecessor.

Mr. COHN. Who is that?

Mr. LACY. Lawrence S. Morris.

Mr. COHN. Where is he now?

Mr. LACY. Unless he has changed in the last few weeks, he is cultural affairs officer to the U.S. Embassy in Paris.

Senator SYMINGTON. May I just interrupt a second?

When you say "they," you say you mean the State Department. Where was he then?

Mr. LACY. The then title of the job was the chief of the Division of Overseas Information Centers, but it was the same job I subsequently occupied with a different title.

Senator SYMINGTON. Was his headquarters in Washington?

Mr. LACY. Yes, sir.

Senator SYMINGTON. And he is now in Paris?

Mr. LACY. Yes, sir.

Senator SYMINGTON. When did he leave here and go to Paris?

Mr. LACY. In September of 1951.

Senator SYMINGTON. How long had he been on the job when you took over, roughly?

Mr. LACY. About a year or eighteen months, I believe, sir.

Senator SYMINGTON. What did he do before then?

Mr. LACY. Well, he had been an employee in that division, but not its chief, for some months before that.

He had worked in OWI during the war, and so on.

Mr. COHN. Who is Mr. Morris's predecessor?

Mr. LACY. Karl Sauer, S-a-u-e-r.

Senator SYMINGTON. And where is he now?

Mr. LACY. I don't know. I have the impression he is in California, but I don't know.

Mr. COHN. You were talking about Mr. Morris?

Mr. LACY. Correct. Mr. Morris is the one that is in Paris.

Senator SYMINGTON. What does he do in Paris now?

Mr. LACY. He is the cultural affairs officer in the American Embassy there. That means that he would have charge, the general oversight, as a matter of fact, of all the libraries in Paris, as part of that job, but also all the exchange of students and professors and cultural affairs generally to France.

Senator SYMINGTON. Was his going from Washington to Paris a demotion, or a transfer?

Mr. LACY. On the whole, I would say a promotion, sir.

Senator SYMINGTON. A promotion?

Mr. LACY. Well, it didn't make any great difference in grade or salary. I think by and large it would be considered a more desirable job. It is about at the same grade.

Well, sir, I was about to say Mr. Morris had initiated the preparation of this union catalogue, listing all the holdings of all the libraries overseas, from whatever source derived. This was a very sizable undertaking and as a matter of fact the catalogue, though nearly complete, is not yet finally completed, because the funds we have had to work with in doing it have been very limited, and a very small staff has been employed. The Library of Congress has been actually doing the work under contract to the State Department.

Now, that catalogue, when it is finally finished, and it is nearly finished now, will give us the first reasonably complete record of materials that have, at some time, been in the libraries. This is this catalogue, incidentally, that the committee staff has been working with.

This catalogue is subject, itself, to some limitations. It is somewhat non-current. Not everything has been put in it. Books that have been worn out or lost or removed by the local librarians have not been—the corresponding cards have not been removed from the catalogue here, so that the presence of a card there shows that a book has been in the library and presumably is still there but not necessarily.

The librarians are instructed to report quarterly all the books that have been worn out or removed, but in practice none of them found the time to do the substantial amount of work involved.

Mr. COHN. Outside of the compilation of this catalogue what steps have been taken, what even elementary steps, to see whether or not this collection has been infiltrated with books—

Mr. LACY. The only systematic check has been in connection with the information centers in Germany, where the collections were on

the whole in the worst shape and were most miscellaneously received.

Mr. COHN. You would say that was the fault of the army. In other words, they made the collections?

Mr. LACY. Well, fault? I doubt if I would have done any better if I had been doing it at that time under those circumstances. I do not mean to be critical of the army. But I mean it was an inherited situation, that they had had to throw in very hurriedly and with great difficulty.

We sent a member of our staff over who spent several weeks screening materials out of the collection.

Mr. COHN. When was that?

Mr. LACY. That was before I came with the staff. It was, my impression is, in the summer of 1950, but it may have been in the spring of '51.

Mr. COHN. You see, we had testimony this morning, Mr. Lacy, from Freda Utley, who had just returned from Germany in the last six weeks, and she gave a rather disturbing picture of the libraries over there.

Mr. LACY. I have seen Miss Utley's article.

Mr. COHN. Yes, she said there were books by Ilya Ehrenburg, one of the top propagandists of the Soviet Union, still in 1952 listed in the catalogue for the information centers over there.<sup>16</sup>

Senator SYMINGTON. Listed in the catalogue?

Mr. COHN. Listed in the catalogue, actually listed.

Senator McCLELLAN. I believe she said she did not actually see the book.

Mr. COHN. No, she said she saw the listing in the 1952 catalogue. I forgot which one of the information centers that was.

Mr. LEAHY. That was issued by the center.

Mr. COHN. Yes. And just to give you a picture, here, she named the Communist party members whose books they were stocking, William Mandell, I recall, and Howard Fast, and some others, particularly Mandell. Then she said in the China section, for instance, there were almost no books which were anti-Communist, and there was a slew of literature by the pro-Chinese Communist school; in other words, Agnes Smedley, a Communist, Anna Louise Strong, a Communist, Owen Lattimore, who has been found by the Senate Judiciary Committee to have been a conscious, articulate tool of the Soviet conspiracy. This was as of two months ago. I was wondering how they missed that in that screening.

Mr. LACY. Well, sir, I do not know what the actual facts in the situation are. Karl Baarslag of the American Legion, who I understand was to have testified this morning, too, happened to come into my office about a day after I first saw Miss Utley's article. I think probably it had been out for two or three weeks before I saw it. He had himself made a check in Germany, which he had been led to make by seeing an advance copy, I think, of Miss Utley's article, and he told me that while he was himself not pleased by all of the stuff he found he had come to the conclusion that her statement, or at least the implications or inferences from then, and

<sup>16</sup> Ilya Ehrenburg, *The Tempering of Russia* (New York: Alfred A. Knopf, 1944).

those made by Westbrook Pegler about the same time were unfounded, or only partially founded.

I am not trying to say Mr. Baarslag said he liked or approved of the stuff, but he said in his opinion it was not nearly as bad as they had depicted.

Senator SYMINGTON. May I ask this question? You are in the middle of a narrative, telling us about the job. How close are you to being finished?

Mr. LACY. Well, I think about one minute would finish up what I had to say.

Further than that, I have taken action from time to time on individual titles that had come to my attention. I did not attempt, while I was in the State Department, to make any exhaustive, systematic, down-through-the-catalogue check on this point, partly because I knew I was going to be there only twelve or fourteen months, and because there were some tremendously difficult jobs of getting materials out that I wanted to get done; partly because the spot checks I made here and there on individual titles didn't lead me to believe that the situation was one that was serious or difficult.

Mr. COHN. I just wanted to ask you this, now. You see, we went into this thing cold, and we were just told where this catalogue was located, where this file was located, Mr. Schine, Mr. Buckley, and a couple of others went over there and within a matter of three or four hours discovered the fact that books by Earl Browder, William Z. Foster, and so on and so forth, were listed.

Why should not at least things that elementary have been picked up?

Mr. LACY. Well, the State Department tells me—I have been away from there, of course, during all of this time, and I haven't made any personal checks.

When I found out I was going to testify, I did ask them—

Mr. COHN. I might ask you this: You agree those books shouldn't be there?

Mr. LACY. I agree completely with respect to Mr. Browder and Mr. Foster.

The CHAIRMAN. The thing I should like to know, and it should not be too difficult: Some of you in charge of this program should be able to tell us who, what individual, John Jones or Pete Smith, got these Communist books. Who screened them? What person?

Mr. LACY. I think that could be answered, Senator, only with respect to a particular copy of the particular book, since if you count all of them—

The CHAIRMAN. Let me ask you this: During the period, we will say, of September 1952, was there not some individual or individuals responsible for the purchase or the acquisition of books?

Mr. LACY. There were a great many people who shared this responsibility, sir.

The CHAIRMAN. And does each individual library have the right to acquire books by gift or purchase?

Mr. LACY. It has the right to accept books by gift. It has a very limited budget, not one that our office—

The CHAIRMAN. Then let us say the Library of Congress bought or obtained on a gift twenty, thirty, or forty Communist books. Was

that action ever screened or supervised by anyone back here in Washington?

Mr. LACY. It would have been very unlikely to have come to any specific attention here, except over a period of a good many months. The presumption would be that the librarian in Paris would be perfectly competent to deal with it.

Mr. COHN. You mean somebody could donate books by William Z. Foster and nobody would check with you, with your division in Washington?

The CHAIRMAN. I have this question in mind: Let us take the book of Earl Browder. We know it is in the several libraries.

Mr. COHN. There are three different books.

The CHAIRMAN. And how many volumes all told?

Mr. COHN. I don't know. I would say five or six, all told.

The CHAIRMAN. I wonder if it is not possible to find out from the purchase orders or from any other papers, who got that book, who was responsible for getting Earl Browder's book and putting it in a certain library?

Mr. LACY. I was told, sir, that no copy of Browder's book was ever bought by the department. There were, I believe, four, but your statement that there were five may be correct.

Mr. COHN. Let's take four.

Mr. LACY. I am just doing it out of recollection here.

They were discovered in the union catalogue.

Senator SYMINGTON. In the union catalogue?

Mr. LACY. Yes, sir. This is the one that was started being prepared a year and a half ago.

Senator SYMINGTON. Where were the four Browder books?

Mr. LACY. One in London, I believe, sir, one in Johannesburg, I believe. There was a Spanish translation of one of his books in one of the libraries in Latin America, which the people at State told me today they had a report had been removed in the summer of '52, but the card hadn't yet been killed in the catalogue here. And there were one or two other locations, I remember.

The CHAIRMAN. I was going to ask if there was some way of finding out who was responsible for placing those books in those four different libraries.

Mr. LACY. If the book is still present in one of the libraries, which would be questionable, since the cards that brought them in were probably filled out in the field two years ago, and I am sure as soon as any American member of the staff noticed the book there or anybody borrowed it and called it to his attention, he would remove it, but if the book is still physically there, there would probably be a date stamp on it, indicating the date when it was acquired by the library.

You could find out from that who was the librarian at the time. It would be a fairly difficult problem to find.

Senator SYMINGTON. Who would be the one that put the book in? Could the book just be brought in and put in voluntarily, given, you might say? Could a Communist in Johannesburg bring an Earl Browder book in, and would it be accepted by the library and the American setup?

Mr. LACY. That would be conceivable. In Johannesburg we have never had funds to have a professional American librarian. We haven't had at many of these libraries. That could happen.

Senator SYMINGTON. You say, then, the State Department did not buy the books in question?

Mr. LACY. So I am told, sir.

Senator SYMINGTON. Then what other ways could they get it? They could get it by gift, you said.

Mr. LACY. They could have had it in an OWI library that the State Department took over.

Mr. COHN. I wonder if we could find out who told that to Mr. Lacy, that the State Department did not buy those books. I will tell you why I want to know.

Whoever knew they didn't buy it might be in a position to give us some more information.

Mr. LACY. Oh, I stopped by the department after you called me yesterday. I stopped by the department yesterday.

Mr. COHN. I was just wondering if there is someone over there who could tell us something. If someone knows enough about it to be able to tell you with reference to the specific Browder book, "We did not buy it. That was a gift"—I think that person might be in a position to give us some information.

Mr. LACY. Perhaps I should have been more precise. We didn't buy it from April 1947 on. It is conceivable it might have been bought in '46, because they didn't have as good records then.

The CHAIRMAN. Let us stop right there. You mean from April '47 on you could tell who purchased each book?

Mr. LACY. You can tell that the book is purchased. I don't think you can tell which employee—Well, it might be possible, through a fairly elaborate piecing together of the operations memorandum from the field requesting the book and other sorts of operating files, whose initials were on it. I don't think the actual D88-12, so called, which is the actual order form, shows any initials of who purchased it.

The CHAIRMAN. When Louis Budenz testified, he said he thought it was as a result of a Communist in that program that those books were purchased. Therefore, it would be very important, if you have a record of the purchases, to run it down, would it not, to find out who is purchasing the books of well-known Communists? I can understand anyone going out and purchasing the book of an undercover Communist. You do not know all of them. But men like Foster, Browder, Agnes Smedley, that whole list.

Mr. COHN. And Aronberg.

Mr. LACY. May I make a statement here, sir, that I think really bears on this question? That is that the checks that they have made at the department indicate almost no purchases of, so to speak, Communist books by publicly known Communist authors. That is not to say no books are in the files. I am not challenging the findings of the committee on this.

For example, what I have been told as the basis of their checks is that they find no record of any Browder book having been bought by the department, though some copies were found, I think four or five, in the libraries. They found no record of any Foster book hav-

ing been either bought or having been in the libraries. I don't know, how the discrepancy exists on that.

The CHAIRMAN. You say "they" found no record. Who over there told you this? Who gave you the information?

Mr. LACY. The particular person I was talking to is Mr. Simpson, who is the division chief under Mr. Humphrey, who deals directly with the libraries concerned.

Mr. COHN. Mr. Simpson. Do you know his first name?

Mr. LACY. Thomas W.

The CHAIRMAN. When was Mr. Lacy there?

Mr. COHN. He was in charge of these information centers until January of this year.

Mr. LACY. If I might run down through two or three more of those, the only ones of his books that were bought in any quantity, more than one or two copies, were the *Maltese Falcon* and the *Glass Key*, both of which were bought in the fall of 1948.

The CHAIRMAN. Now, let me ask you this: If this man Simpson is making this survey to find out how many books there were, when they were bought, has he attempted to find out who bought them?

Mr. LACY. Well, Senator, who bought them—there is never any one person who buys one of these books.

Mr. COHN. But there is for this reason, Mr. Chairman—

The CHAIRMAN. Somebody finally signs the order for the book, or some group of people. The book does not materialize out of thin air.

What I am trying to get is this, and we seem to have tremendous difficulty in running it down. When you say, "We found that Dashiell Hammett's *Maltese Falcon* was purchased on such and such a date in '48," if they can discover that, and the exact date it was purchased, can they or can they not find out who purchased it?

Mr. LACY. Well, they would know that was bought in a fiction book packet, so-called. This was three years before I came into the department, and I was told there was a considerable request in the field for a representative collection of American novels of various types. They wanted to include a few detective stories. Probably the two best-known American stories, detective stories, abroad are his *Glass Key* and *Maltese Falcon*. I have read them both. They have no discernible, to me, Communist content.

The CHAIRMAN. Will you stick to the question?

Mr. LACY. Yes, I was wandering.

This was picked by a committee, who got up this book packet.

The CHAIRMAN. Pardon me for interrupting you, but I am trying to get down to the bottom of this if I can. You say they can find out the name of the individual or the committee that picked, for example, Earl Browder's book or any other of those books.

Mr. LACY. Well, not Browder's. That was not picked here in the department, sir, according to the records.

The CHAIRMAN. Can they find out who purchased the other books?

Mr. LACY. In terms of things that came in from the army, it would be extremely difficult. There would be no one record that would show it.

I should have said, in finishing the answer to Senator McCarthy's question, that the things that went into a book packet to go to all libraries overseas were picked here, and those two novels, *The Glass Key* and *The Maltese Falcon*, of Dashiell Hammett's, were in that category. You could properly hold the chief of the service at the time, I think, responsible for that, in the sense that the committee submitted the list of books to go out in the packet to him, and though he didn't go back and read every book he read the list and approved it. He normally did not see the individual orders that came from the field on some one book.

Now, the actual purchase orders that we have kept—or I say "we," I mean the State Department now—my impression is, though it has been months since I have actually looked at any of them, that they show the initials of any of the clerical people who did the typewriting and the clerical work on it. The authority for purchasing could probably be dug up for each individual title, but not out of any neat file filed by author. It would probably be to a post chronological file that would list all the operational memoranda that had come in from Paris or Johannesburg that month requesting books. And by running through that chronological file, if you know the month the book had been bought, you could probably, from the initials there, see who had audited it from the field, and probably the two or three people over whose desk it had passed. I am afraid I am making this seem very complicated, but I am afraid the fact is that it is complicated.

Senator McCLELLAN. I think the implication or understanding I get from your testimony is that apparently there is no central authority.

Mr. LACY. No one person approves every single book.

Senator McCLELLAN. No one individual that you can hold responsible. It is a diversified responsibility.

Mr. LACY. Well, I would certainly expect, sir, to have been held responsible myself, at least in a general sense, for books that were purchased during the time I was there. That doesn't mean I would have bought every one of them if I had acted on every one, say more than I would have broken a window like my five year old kid did, but: he is my kid, and he is under my discipline, and I am responsible.

Senator McCLELLAN. Well, what I am trying to emphasize, I may say, is that in an operation of this magnitude requests are made, they come in, and they are perhaps not adequately screened, and it is difficult to say, especially in these cases, where the library itself in the field may have bought a few books or may have accepted donations. There is no central responsibility.

Mr. LACY. Well, sir, no one person physically could screen all of the, say, two or three hundred thousand requests to purchase or not to purchase that ultimately resulted in buying the 130,000 or 250,000 books.

Senator McCLELLAN. They never will be able to control those things or adequately screen them unless there is some central authority that all of these requests have to pass through and get approval of. Why has there not been established such a central authority, so that we could make certain?

Mr. LACY. Well, there is, sir, in the sense that the chief of the division is. Now, no one person could physically, in eight hours a day, fifty weeks a year, see every request that comes in that has to be distributed among a number of people.

Senator MCCLELLAN. I can appreciate that. No president of the United States can perform all of the duties that are imposed upon the president. But he does establish, and we have established for him, certain agencies that are responsible to him for doing certain jobs, performing certain functions of government.

Now, this thread has run throughout this whole picture. To me there has never been that firm, definite, centralized or localized responsibility.

Mr. LACY. Well, I appreciate there has been, sir, so far as books purchased in Washington have been concerned. The title of the job has changed from time to time, but under the chief there has always been one person who, at the libraries, has this particular responsibility, and under him there has always been a bibliographic section. But I think sir, that actually there has been less than the testimony indicated thus far before the committee would suggest, less than that testimony would suggest, of inadequate screening to our actual purchases.

I pointed out the records that have been reported to me indicate, as I said earlier, no book by Foster and no book by Browder purchased; of Hammett only these two detective stories, purchased over four years ago, that have been American classic detective stories. They have been made into movies and sold in hundreds of thousands of copies in this country before Hammett had ever become widely known publicly as a Communist.

Of the books by Mr. Stern, the only one bought in large quantities was one published jointly by the New York Academy of Medicine, the Medical Association of the State of New York, and the Commonwealth Fund, which was a survey of health services, state, local, and federal, and came out under eminently respectable auspices at a time when he was not publicly known as a Communist.<sup>17</sup>

Only three copies I believe of the book of Mr. Allen were bought, none within the last four or five years. Only one copy of a book by Mr. Mandell was bought, and that, I believe, in 1946.

In the case of Mr. Seaver, the only one of his books bought in any quantity was a rather standard anthology of American humor, of selections from Mark Twain and Washington Irving, and so on, that was widely and generally reviewed, at a time when Mr. Seaver was not known as a Communist.

I am told that no copy of any of Mr. Lattimore's books has been bought since his indictment, and that the only one bought in any considerable number was his *Pivot of Asia*, which is the only more or less standard American scholarly work on Mongolia.

Of Mr. Rosinger's books, none were ever bought in large quantities, and the general understanding in the scholarly field is that Rosinger left the party some time ago, even though he has refused to testify; and the only one bought in recent years has been the one called *State of Asia*, which he didn't write but edited, which was

<sup>17</sup>Bernhard J. Stern, *American Medical Practice in the Perspectives of a Century* (New York: The Commonwealth Fund, 1945).

published by an eminently respectable publisher, and which I read myself, and at least detected no Communist leaning in it. This was not written by Rosinger. He contributed one or two essays to it.<sup>18</sup>

Now, when that is compared with a figure on the other side of the fence, the American Legion got up two lists at different times totaling some 190 books which they recommended as reading on the subject of communism.

Now, of those books, over 19,000 have been bought by the department, or nearly 19,000. 18,500 have been bought by the department and put in the libraries overseas. And we have had special editions printed of some of them and have given nearly 40,000 copies of them away. We have subsidized the export through commercial channels of 120,000 copies. And we have published over 30 of them in translation, in a total of 115 languages. And well over a million copies of these books on the American Legion's anti-Communist reading list have actually been published by us in local languages and distributed overseas.

Now, when this is compared with the one copy of this and the one copy of that and the three copies of the other to 1946, I think you see, sir, that there has been an overwhelming concentration on specifically anti-Communist sentiment.

Senator MCCLELLAN. I think the list recommended for distribution by the American Legion is very commendable.

Mr. LACY. But this adds up to thousands of copies.

Senator MCCLELLAN. And you make that comparison with some three or four books here, the authors of which have been mentioned, when actually the testimony is that there are a good many of such books and authors.

Mr. LACY. I have no question that there are a good many books written by authors who are members of the Communist party, purchased at a time when they were not widely known as members of the party, or when the books seemed quite remote from their party affiliation. The standing directives of the department at the time I came in and subsequently had not required any check on the author himself when he was not publicly known, and when nothing in the book itself suggested it.

Now, as I have said, in the case of this man Stern, the book itself was a straightforward survey of medical services, published by the New York Academy of Medicine.

Mr. COHN. Which Stern was this?

Mr. LACY. Benjamin. The one bought in large quantities.

Mr. COHN. Bernhard Stern?

Mr. LACY. Bernhard Stern, yes.

Mr. COHN. How about *Understanding the Russians*?<sup>19</sup>

Mr. LACY. One copy of that has been bought.

Mr. COHN. Why should that have been bought?

Mr. LACY. God knows. It was bought in 1948. I have no idea. I am not personally familiar with the book.

My guess would be that the normal thing would be that probably some librarian in the field sees a reasonably favorable review of it in the *New York Times* book review section or something like that

<sup>18</sup> Lawrence K. Rosinger, *The State of Asia: A Contemporary Survey* (New York: Knopf, 1951).

<sup>19</sup> Bernhard Stern and Samuel Smith, *Understanding the Russians: A Study of Soviet Life and Culture* (New York: Barnes and Noble, 1947).

and orders it, and it comes in here, somebody looks at it, finds it has a reasonably favorable review, and it is approved, without any very close check.

Now, in getting two million volumes into those libraries overseas, this means that two million decisions were made. It really means many more million were made, because there were many decisions made not to put books there by thousands of people in hundreds of agencies over the years.

I really feel it is surprising that so few objectionable books went through. Something like Hammett's *Maltese Falcon*—

Senator McCLELLAN. There has been an order, and I will rely on the staff to state just what that order is, of recent date, regarding the removal of certain books and publications from these libraries.

Just what is that order?

Mr. SCHINE. In substance, Senator, it orders the information center libraries to remove from the shelves books carrying the Communist party line, or by Communist party members, which have been placed there in entirety without explanation, and which have served the Communist party rather than the United States.

Senator McCLELLAN. The point I was wanting to make was that during the tenure of your service in the capacity of director of the Information Center Services, did a sufficient number of instances come to your attention regarding books of this character, carrying this objectionable material, to warrant you in considering issuing an order similar to that recently issued?

Mr. LACY. Well, the general policy that we were following, sir, was not very different from what I just stated, with this exception: that where the book itself was irrelevant to political considerations, when it was something like a detective story, let us say, we did not feel that it was necessary to assess the author's own politics. No, sir. Here were the cases that came to my attention, of works that seemed to me positively and specifically objectionable while I was there. Now, let me say that those come to my attention more or less in the normal course of business. I didn't make a systematic effort to go through the whole collections.

There was a biography of Paul Robeson by a woman by the name of Evelyn Graham, which was sent in by someone who had found it in an American library in, I believe, Oslo, but I am not certain of the city.<sup>20</sup> It came in through the security division of the State Department. The security division made a check of the sort the committee has been speaking of to try to determine who had been responsible for its purchase. It was found that it was bought in 1946, in about twenty copies. They were able to assure themselves that one of a group of employees of four or five probably was involved. That is, it was done in that section. All of them had impeccable records, I was told by the security division. Only one still was employed there, I believe.

The book had been very favorably reviewed at the time it was issued, and the security division concluded there was no reason to suppose that there had been any deliberate malfeasance.

I examined the book. It was a juvenile teenage biography of Paul Robeson. One chapter of it was peculiarly objectionable because in

<sup>20</sup> Shirley Graham Du Bois, *Paul Robeson, Citizen of the World* (New York: J. Messner, 1946).

recounting Robeson's conversion to communism, it simply lifted an article that Robeson wrote or had had written for him some years before and parroting the Communist line in that one chapter. I have no reason to suppose that the author did this on purpose. I suspect she just didn't know much about what she was doing and was writing fast and used the nearest source. I directed that that be removed from all the libraries. I did similarly with an anthology of recent American literature from 1914 to 1939, because it included the work of several Communist poets, and not merely included them but included them in notes that suggested that the most vital writing being done in the U.S. was being done by a Communist. This was a book that had been remanded after copies were no longer selling, after it had been replaced by another edition, and a number of copies had been bought at five or ten cents a copy. That was killed before it was actually available. And there were one or two other specific cases.

Senator McCLELLAN. Let us get right down to something concrete. In view of your past experience in this service, and what has come to light thus far in the course of these hearings, that part of it at least with which you are familiar, what suggestions or recommendations would you make as to how we may in the future avoid the placing in the libraries of books that are objectionable and that follow the Communist party line? What would you recommend be done? How can this situation be corrected and prevented from recurring?

Mr. LACY. I don't know, Senator, that there has been any effective showing that books bearing the Communist party line have been being currently, that is, in the last two or three years, acquired for the libraries.

Senator McCLELLAN. No, the testimony is before the committee that a number of them are still catalogued.

Mr. LACY. Well, sir, I think there are two questions. What ought to be done about removing those now present, and about the current acquisition.

Senator McCLELLAN. An order has already been issued now to remove them. But I am trying to see now how we can tighten up the administrative forces in the agency so as to prevent a recurrence of these things.

Mr. LACY. I think, sir, that they are tight enough. Well, I don't think any possible system can guarantee that nothing will ever go wrong, to this or to any other system.

But I don't think there has been any testimony that suggested that the current purchasing of the department—and I don't mean to say in my period there, but in the time over the last three years or so—has been such as to sustain the Communist party line, except in very isolated or special cases.

Senator McCLELLAN. I can very well see that Communists who were interested in promulgating their propaganda, and so forth, would very willingly, probably, contribute to the libraries books of that nature. It would not be necessary to purchase them. How can we guard against that occurring?

Mr. LACY. I think the circular that has now been issued will unquestionably make the librarians in the field tend to fall over backwards, and I suspect that they have been doing this for some time

anyway since people became more conscious of this issue, to look gift horses in the mouth. If the objective is to go beyond that and say that we must erect measures to make sure that no Communist's book, even a covert Communist's book, shall be purchased, even though the book itself may not be perceptibly related to the Communist line, you pose, as Senator McCarthy indicated a while ago, a much more difficult problem. There are eleven to twelve thousand books published each year in this country, of which perhaps about a thousand would come up for some sort of decision, and in addition several thousand requests would come up at any given time for books published in previous years.

Now, to attempt to screen all of those authors concerned in cases when the book itself has nothing to suggest, like one of the Dashiell Hammett who-dunnits, that the author was a Communist and where the author is not notoriously one, is an extremely difficult job. You can, of course, run a check through, say, the House Committee on Un-American Affairs files and through other agency files, and pick up all the derogatory information that is there. This means that a very high proportion of authors will have one or more accusations against them of this sort.

As Secretary Dulles said the other day in connection with Mr. Bohlen's nomination, he understood there was derogatory information in Secretary Dulles' own files. If one took the flat rule, "Look, we won't ever enter an area of doubt, and if any accusation has been made about anybody his book doesn't go to the library," then you eliminate a very high percentage of all the materials, which you work with.

Senator McCLELLAN. Why could we not do this: Why could there not be established a centralized committee to pass on all books before they are placed in those libraries? In other words, from time to time they could consider books, those that were requested and those that are not, and give us approvals, saying, "Here is an approved list. These books may be accepted and placed in a library." And other books not included in that list from time to time would have to be screened. And get that central committee or authority to give its approval before a book could be accepted and put on the shelf.

Mr. LACY. Did you mean, sir, a committee of the department, or a committee of outside officers?

Senator McCLELLAN. Within the department you could establish it, so that the responsibility would actually be somewhere.

Mr. LACY. Essentially, this was what we had proposed to put into effect just before these hearings opened, and I understand the department has bought substantially no books since the hearing started, until it could get its position clarified.

What I had proposed to do at that time was to let a committee operate in the staff that would probably come out with fifty to a hundred books a month in advance of publication, working from the daily proofs, that would be clear in terms of utility and suitability for the program for purchase by any library that wanted it.

We were going to print cards for each of these and send those cards out air mail in advance of publication to any library. Then any library that wanted to buy one of these could just stamp its

name and write one of the copies and mail that to our office in New York for clearance.

Senator McCLELLAN. That is something along the line.

Mr. LACY. Then any other one they wanted that was not in that list would come through the department for clearance there.

Senator McCLELLAN. And have to be cleared.

Mr. LACY. Yes. And we had set up a review and appraisal unit in the bibliographic section to prepare those cards. I think the first batch of copy for the cards had just been sent down to the Library of Congress, which was going to print the cards for us in the printing office there. That was suspended because of the hearing here. But it is very similar to what you propose. I don't think an outside committee will work. You can't find anybody with the requisite competencies, who can devote the time.

Senator McCLELLAN. I was suggesting machinery within the agency itself.

Mr. LACY. Yes, sir.

Senator McCLELLAN. In other words, it seems to me there could be an approved list, of maybe a thousand, or I do not know how many, but books which we know from reputation are books that are in keeping with our philosophy of life and government, that might be made available or be approved for use in those libraries. At the same time, there could be also issued a list of books that are disapproved. Then you would have the area of books, of literature, that had not been passed upon. And in that area, certainly, the requesting authority, if it is a library in Germany or somewhere else, before acquiring that book, or if it does acquire it by gift, before making it available to the public, could see to it that it should be submitted to this authority and that clearance is obtained. Some system needs to be developed and put into effect.

Mr. LACY. Well, what had been proposed to go into effect, as I said, just as the committee hearings started, and which led to a sort of suspension of the plans until the whole situation could be reviewed by the new administration, was very similar to that, sir, except that it didn't include provision for drawing up a negative list of harmful books, on the assumption that they wouldn't consider buying a book in the first place unless there was some evidence that it was positively useful.

Senator McCLELLAN. Well, the negative list was just a suggestion. I do not know whether the time should be spent on that or not. But certainly this is a program that has great potentiality for good, and if misused, if poorly administered, if carelessly administered, can possibly produce equally as much harm as good.

Mr. LACY. This whole problem, sir, depends a good deal on whether, in applying any of these criteria, you are speaking specifically of actual Communists. If so, removing every book in the collections by any person who actually was a Communist would remove a relatively small total number, and it certainly wouldn't do any harm.

The problem that I think tends to come up is this: People who have been told in effect, "My God, you are fired if you ever let a book by a Communist get into the collections," then start saying, "Well, I will play it safe, and this whole area, of a broad group of people, I won't put in."

This would lead to this sort of thing. To take an example, out of the air, probably the most widely reviewed, most widely talked about poetry issued last year was a collected volume of poems of Mr. McLeish. Mr. McLeish is very widely and favorably known abroad.

Mr. COHN. Where?

Mr. LACY. By intellectuals.

Mr. COHN. Well, are we trying to reach intellectuals, or are we trying to reach the bulk of the people?

Mr. LACY. With the libraries, when you have one small library of twelve thousand volumes serving a country of thirty, forty, or fifty million people, which can't physically deal with more than a few thousand a week and where the language is essentially a foreign language—

Mr. COHN. Doesn't Mr. McLeish have somewhat leftist views?

Mr. LACY. I doubt if his political reputation is very widely known, certainly not as widely known as his reputation as a poet.

Mr. COHN. Doesn't the wide discussion of his leftist views in this country seep abroad through news dispatches and the fact that he has been a public figure, a figure of public controversy? Isn't that just as likely to get abroad?

Mr. LACY. I think not, sir, because the coverage of much news in foreign newspapers is incredibly poor. You may get two or three inches in a foreign paper about American political developments, whereas among people whose interest is in intellectual fields, they will probably have read his books.

Senator MCCLELLAN. Are we maintaining these libraries primarily for the intellectuals of other countries?

Mr. LACY. "Intellectuals" may be a bad choice of words, sir. It seems to me the primary audience that they need to reach are primarily two kinds of people. One kind of people through whom information derives from the libraries is likely to be disseminated to the people at large—

Senator MCCLELLAN. Like lecturers?

Mr. LACY. Yes, and radio commentators, authors, and so forth. The other people are people who make decisions or who influence decisions. I don't mean to say that ordinarily you can expect a British or French cabinet officer to use our library in Paris, but there is a daily loan truck service between the American library to London and the various ministry libraries in the British ministries, and their information about the United States is largely derived from being able to borrow those books.

One of these libraries is on the average about the size of the Bethesda Public Library out here, or one of the very smallest branches of the D.C. Public Library. There are eight in all of India. There are seven in all of France. These are obviously not instruments which could hope to have a mass impact directly on the whole population. They have to reach their result through these relatively selected groups.

Senator MCCLELLAN. What I am trying to do is to evaluate the whole program so far as maintaining the libraries is concerned.

Mr. LACY. That is the group I think we want to reach, sir, through all of our means. It would just be fantastic if we tried to reach every single individual in these countries.

Senator McCLELLAN. I understand, but I am asking these questions so as to evaluate the entire program of maintaining the libraries.

Mr. COHN. We can only reach intellectuals, if they alone are impressed with Archibald McLeish—

Senator McCLELLAN. Well, the point I am trying to get at is just how much we are actually spending.

Mr. COHN. I think it is about \$4 million a year.

Mr. LACY. Well, about \$5 million to the Information Center Service, of which about a million and a quarter goes to purchase books for the collections of these libraries. That is not the total cost of the libraries, however. There are salaries for the employees.

Mr. COHN. What would you estimate as the total cost of the libraries?

Mr. LACY. Four to five million, on a guess. But that is a very rough guess, because lighting is paid for out of the Foreign Buildings authorization, and the general guess is that a book cost estimate would be about a quarter of the total project.

Senator McCLELLAN. It is not a question of how much the books cost. It is a question of how much we are paying for the service. Now, what is the value of the service to us in this warfare, in this cold war, this ideological warfare? That is the thing that I am trying to weigh for the moment, whether we are getting value received, whether this expenditure can be justified.

Mr. LACY. Well, the libraries, sir, are used by about a hundred thousand people a day worldwide. This is a fairly select group basically. I mean, it is by and large a good deal higher level group than the run of the mill population, and would have some influence.

Senator McCLELLAN. We can very well appreciate that many of the masses, of course, will never be interested in reading any book.

Mr. LACY. The people who get there, rather than getting a five-minute, let us say, radio broadcast, or something, normally got a continuous exposure, so to speak. They may borrow a book, which they read for several hours, and get a fairly concentrated dose of attention.

This means, all told, let's say, close to 35 million people a year will have used the libraries. They will have had a pretty intensive amount of use of them, as opposed to the quicker business of just reading a news dispatch.

It is by far the cheapest of the five operations. I am prejudiced, of course. I could quote two outside sources.

When Senator Fulbright was making his investigation as chairman of the subcommittee Senator Hickenlooper is now chairman of, he asked every ambassador or chief of mission to report his estimate of the relative value of the various types of operations being carried on. He split it down into the five media services, because each of the ten or eleven kinds of activities were listed.

Mr. COHN. I suppose the libraries come out first.

Mr. LACY. No, second.

Mr. COHN. How did the Voice of America rate?

Mr. LACY. Last. Incidentally, Mr. Cohn, I think probably those returns are classified and perhaps the specific stuff should be struck from the public record.

Mr. SCHINE. You were responsible for the library program; right?

Mr. LACY. Yes, from September '51 through January of this year.

Mr. SCHINE. Now, this program was designed to fight communism, wasn't it?

Mr. LACY. Well, it was designed to support the foreign policy objectives of the United States, and that, of course, is one of the principal ones. It has other things to do, too.

Mr. SCHINE. Who did you discuss the implementation of this program with? Which of your superiors did you outline the plans for the library program with?

Mr. LACY. For the first few months after I was there, from September until about January, my superior officer was Dr. Johnstone. I was out of the country about five weeks of those ten weeks, and I saw relatively little—

Mr. SHINE. In other words, Dr. Johnstone helped you to decide how you were going to operate?

Mr. LACY. To a very slight degree.

Mr. SCHINE. In other words, you were completely responsible?

Mr. LACY. I have relatively little detailed supervision. I was given wide freedom, yes.

Mr. SCHINE. In other words, you can be given credit for all the virtues and can be blamed for any of the mistakes.

Mr. LACY. Yes.

Mr. SCHINE. You were responsible for the objectives? Or were you responsible for the interpretation of the objectives?

Mr. LACY. I was not, of course, responsible for the objectives of American policy. As to how the library service carried out its part—

Mr. SCHINE. I am not talking about procedures, now. I am talking about the implementation of the objectives or the interpretation. Whom did you discuss policy with?

Mr. LACY. Reed Harris, Dr. Compton.

Mr. COHN. Bradley Connors?

Mr. LACY. Not much. Connors was primarily interested in the fast media, the day to day.

Mr. SCHINE. Who interpreted the directives for which the IIA was responsible? You, or Reed Harris, or both of you put together?

Mr. LACY. I don't think it can ever be put in any—

Mr. SCHINE. Well, you had to have a clear-cut conception of the objectives. Right? Therefore, you had to interpret the objectives to order to implement them.

Mr. LACY. I am not sure that we mean the same thing by all of the words there, but yes.

Mr. SCHINE. Now, what about the procedures for carrying out those objectives that you interpreted? Who was responsible for the procedures?

Mr. LACY. I developed most of them to be used in consultation with the staff. They were generally approved at a higher level.

Mr. SCHINE. Who approved the procedures which you developed?

Mr. LACY. They would normally go through the assistant administrator for administration, Mr. Kimball.

Mr. SCHINE. Mr. Kimball approved the procedures which you developed for implementing the objectives. Right?

Mr. LACY. They would go through his office. They would normally get final approval by Dr. Compton. But almost always they would be approved substantially as I recommended them.

Mr. SCHINE. I want to ask you one more question about the libraries. What percentage of the books in the libraries, were—and I say “were,” because you are not there any more—were while you were there in the local place where the library was?

Mr. LACY. That would vary very widely, from almost none in Burma or Siam, up to, say, 20 or 25 percent in Spanish or French or Italian using countries.

Mr. SCHINE. In other words, the greatest percentage of local language books was 25 percent, and the rest would be in English, I imagine.

Mr. LACY. Yes. What we would do would be to use all of the books that related to the United States and its international objectives that were available in the local language, and that we felt were useful, and we would put the rest of them out—

Mr. SCHINE. In other words, if a person wanted to go into a library and read either for pleasure or education, he either had to speak English or have an interpreter with him to read 75 percent or more of the books that were in the library?

Mr. LACY. Yes. Well, if he wanted an Italian book, he would normally go to an Italian library, not to ours. If there were an Italian translation of an American book available, we would have it in ours. But, of course, the question is not “Do we refuse to use the local language?” We used every bit of it that was available that was useful.

Mr. SCHINE. Of course, on a psychological warfare level, usually, in order to get to the minds of men, you make it easy for them, don't you?

Mr. LACY. Yes.

Mr. SCHINE. So it would probably, in your opinion, have been better if the books could be in that language?

Mr. LACY. We spent an equal sum to that we used on the libraries in subsidizing translations, and so on, of our books we wanted to use in the program.

As I indicated, of the books on this American Legion list alone, we published well over a million copies, or subsequent to the publication well over a million copies.

Mr. SCHINE. I have one final question, sir, and this deals with personnel. Since this is a program designed to carry out the American foreign policy objective of trying to counter Communist propaganda, and I use your language as to the objectives, who was the expert on the tactics, the strategy, the party line, the history of communism? Who specifically was there to recognize the Communist party line and prevent it from being kept on the shelves of the overseas libraries?

Mr. LACY. Do you mean within the information administration as a whole?

Mr. COHN. Within your program.

Mr. LACY. Well, the chief of our Planning and Evaluation Branch would be, I suppose, more nearly than any other one person the one that had the duties that corresponded to that.

Mr. SCHINE. What was his name?

Mr. LACY. Arthur Vogel, V-o-g-e-l. And he was in that position the last six or eight months I was there.

Mr. SCHINE. And he is your expert on communism, and he is supposed to be the one to recognize the party line and keep it off the shelves?

Mr. LACY. That is not exactly what I would say. He was, the last six months I was there, my general assistant for policy and evaluation and planning operations, including this sort of thing. None of the media services except to some extent the Voice, which had to operate with a certain measure of autonomy, because it was in New York, and because it had to be able to move within an hour, was encouraged to build up a strong staff of ideological experts. We did not want half a dozen groups of experts on the Communist party line around. We would actually rely on Mr. Connors' staff.

Mr. SCHINE. You have no method within your division, within your immediate division, for ascertaining whether a book was Communist party line, and you depended on Mr. Connors' staff to do that for you?

Mr. LACY. Not in the sense that Mr. Connors' staff was expected to read books and evaluate them. Our normal bibliographic section was supposed to do that. All sorts of aids were available in spotting the Communist party line, such as the Division of Research on Eastern European Affairs, which puts out analyses of Russian propaganda developments. And those were available to our staff.

The CHAIRMAN. Were you aware of the fact that the information program was obtaining these books by Communist authors?

Mr. LACY. I was aware of the possibility that a book in itself thought to be unobjectionable might well be obtained by a Communist author. That is, I recognized that we didn't have a systematic procedure that was endeavoring to uncover every potential.

The CHAIRMAN. Was there any program sent out to the various libraries and those that were purchasing the books and obtaining them, not to obtain books by Communist authors?

Mr. LACY. There was not one in those terms, sir. The whole tone and implication and meaning of all of the various directives was: You don't use a book unless it serves some specific and positive purpose; those terms, rather than the negative terms.

The CHAIRMAN. So that, I do not want to misstate your position at all, but was it your position that it was up to the purchasing agent or committee, call it what you may, to buy books on the basis of what they contained, and that you had no concern with whether or not they were written by Communist authors?

Mr. LACY. This is close to it, sir. If I could state it in my own words, I would say it would be very simple, that there was no point spending the taxpayers' money for a book unless it served our useful purpose in our total activity, and if it did serve such a useful purpose, that was the criterion we went on.

Now, if the author were notoriously a Communist, this would, of course, establish a prima facie presumption that the book was adverse to our purposes, and one that would very rarely be overcome.

The CHAIRMAN. By hindsight, now that you say you had no experts on communism in your Division, in view of the fact that you had no experts there, then you had no one who could detect the Communist line, I assume.

Mr. LACY. I wouldn't move from one to the other, sir. I think that to recognize the Communist line in a book doesn't always require an advanced state of expertise as a student of contemporary Russian ideology. The more you know, the more specifically and better you can do it, of course.

The CHAIRMAN. Let me ask you this: Would you favor today the banning of all books by Communist authors in the Information Program Libraries?

Mr. LACY. I would have no objection to it, sir, if it were easily or operationally feasible to determine who are Communist authors. I can conceive that there would be grave difficulties in trying to avoid that question by removing everybody about whom any criticism that suggested that he might possibly be a Communist had been lodged. If you confined it to people—well, let me say, for example: We have specifically damned the use of any publication issued by any organization on the attorney general's list of subversive organizations. There we had an objective, clear and plain.

The CHAIRMAN. When was that?

Mr. LACY. Oh, before I came on the staff. I don't know how long before. But that had been a long standing policy, I suppose from the time the attorney general's list was set up.

If there were a similar list of people specifically identified as Communist, I would go about it differently.

The CHAIRMAN. Forgetting for the time being the difficulty of knowing who is a Communist and who is not, and I know it is impossible for you or anyone else to have the names of all of the underground Communists of the country, so forgetting for the time being the difficulty, do you think that the books of Communists should not be used?

Mr. LACY. Certainly no book in any way supporting a Communist position should be used, sir, and I would say that only in extremely rare positions and cases would a book by a Communist who practiced as such not be one that supported the Communist position. If we wanted to be philosophical about it, I suppose we could think of rare cases that would be exceptions, but they would be so few as to be negligible, I think.

The CHAIRMAN. Another element, of course, to be considered is whether you have dignified such works.

Mr. LACY. That is one reason, sir. For that reason we have never used Paul Robeson's recordings in the department overseas, although there is nothing political to his singing a song. But it was disadvantageous to give him the prestige involved in that.

The CHAIRMAN. Could you give us any suggestions as to how we can find out who has been the individual who has been responsible for getting all those Communist books into this program?

Mr. LACY. I am sure you would find, Senator, that there isn't any individual, in the sense that Mr. Budenz supposed as a probability the other day. I think that actually, when you go down case by case, at least among the witnesses who have testified before the committee thus far, in almost every case those books that were bought were either ones that did not themselves suggest any Communist content, or they were bought at a time when the people were not publicly known to be Communist, or both, and the occa-

sional exceptions to this were so scattered as to place and date as not to suggest any pattern of a particular type.

Mr. COHN. We had the testimony of Miss Utley this morning, for instance. She said: "I looked at every single book in the section on China and the Far East, and there was nothing, absolutely nothing, with the anti-Communist approach, and everything they had there was of the Lattimore school."

Now, you have this. Mr. Rosinger, who testified before our committee and claimed the privilege as to whether he was a party member, has dozens and dozens of these books spread all over the key centers, the information centers, throughout the east and China and Singapore and all that. Now, this man, Rosinger, testified over a year ago in the public session before the McCarran committee and refused to answer as to whether he was a Communist party member, and so did a slew of other authors, and hundreds of them are on the shelves.

Mr. LACY. Dozens, in the case of Rosinger's case.

Mr. COHN. I would say to the case of Rosinger, Agnes Smedley, Owen Lattimore, Phillip Jaffe, and so on and so forth, thousands. Now, how can that be? In Lattimore's case, *Ordeal by Slander* was purchased. It was only written in 1950. Now, who could conceivably think that that book was going to give a true picture of American life and our fight against communism?

Mr. LACY. Well, I don't think anybody would. There were two copies of that purchased.

Mr. COHN. Johannesburg, South Africa.

Mr. LACY. No, sir, I think in that case it was New Delhi and Calcutta. My guess on what happened on that—and this is only a guess; I don't know it to be a fact—would be that an Indian acquaintance or friend of Lattimore's well known in India came into the embassy and said, "I understand my friend Mr. Lattimore has been in serious difficulties to the States and that he has published a book. Could you let me see a copy?" And my guess would be that their guess was that they would do more harm by refusing to let him see it than otherwise. I do not know, but that would be my guess.

Mr. COHN. Isn't it possible to check on that? That is a very recent purchase.

Mr. LACY. We could check on that.

Mr. COHN. And I think this Mr. Simpson you mentioned might be the key to this. Because he was able to tell you that a book was not purchased, was a gift, and all that.

Mr. LACY. Well, he was just reporting to me findings made from working in the files.

Mr. COHN. But you see, this is not as isolated book. This is a real pattern. The books go into the the thousands, to the point, as I say, on this China and Far Eastern situation, where there is nothing but the Communist side. That is as of February of this year.

Mr. LACY. Well, *Brain Washing in Red China*—we had a special edition of that printed for our special use in ten thousand copies for our giving away all over the world.

Mr. COHN. Has any of that gotten to Germany?

Mr. LACY. I am sure they have copies of the book in the information centers. They were not widely distributed to individuals to

Germany, because it is in English and we are primarily concerned with India and Burma in that case.

Mr. COHN. Miss Utley testified this morning that that book is not in any of the information centers in America.

Mr. LACY. My guess would be that she is mistaken.

Mr. COHN. She had the catalogues.

Mr. LACY. Well, I only know, as I say, what Karl Baarslag told me. He had been there, and he told me what he saw.

Mr. COHN. Well, did you read Mr. Baarslag's article?

Mr. LACY. No, I had written him a long letter about the thing, which got held up in the correspondence review section in the secretary's office because I had used two "since's" in the same sentence, and he didn't get it until the day after that article was written, and I got a very nice note from him saying he had not read that when he wrote his article, and that he and I were not, in our thinking, very far apart. I would be glad to show you a copy of that.

Mr. COHN. I think that is all we have of Mr. Lacy.

The CHAIRMAN. Thank you, Mr. Lacy. Sorry to keep you so long. [Whereupon, at 4:30 p.m., the hearing was recessed to the call of the chair.]

## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

FRIDAY, APRIL 24, 1953

[EDITOR'S NOTE.—The Permanent Subcommittee on Investigations heard testimony from the editor of the *New York Post*, James A. Weschler, in executive session on April 24, 1953. The subcommittee published this hearing in 1953.

In his book, *The Age of Suspicion* (New York: Random House, 1953), Weschler explained that he told reporters gathered outside the closed hearing room the substance of his testimony and that he would ask that a transcript of the hearings be made public. He also asked that the American Society of Newspaper Editors study the transcript, "since it seemed clear that I had been questioned, not as the author of some undesignated book found in some library overseas, but as the editor of a newspaper that had been fighting Joe McCarthy."

The chairman responded to his request with a telegram: "Shall be glad to recommend that your testimony be made public in accordance with your request. Assume they will have no objection. Procedure has been to allow witnesses to correct record for errors before making public, if witness desires to do so. Customary procedure is to withhold making executive testimony public until witness has completed his testimony. Will you therefore please immediately furnish the list of people known to you to be active in the Communist Movement while you were an officer in the Young Communist League and subsequently thereto, as ordered by this committee. You may also furnish any additional exhibits, as you indicated was your desire."

Wechsler telegraphed in reply: "I shall submit the list because I do not propose to let you distort or obscure the clear-cut issue of freedom of the press involved in this proceeding.

"I have always responded freely to questions asked of me by authorized government agencies and I shall not permit you at this late date to create any impression to the contrary.

"You are obviously trying to use a Senate committee to silence newspaper criticism of your activities . . . nevertheless, so that the record may be perfectly clear, I have answered all your questions and intend to continue to do so until the Senate itself acts to curb your abuse of your investigative functions.

"When I submit the list I shall make appropriate comment with regard to the limited time period more than fifteen years ago in which I had personal knowledge of individual Communist membership and the injustice that may be done to individuals who, like myself, long ago severed their affiliations with communism and have subsequently been active opponents of all forms of totalitarianism.

"I will ask your committee at that time to decide whether the inclusion of such a list in the record is proper or desirable. But I will allow nothing to stand in the way of the publication of a transcript which will reveal beyond the dispute the invasion of press freedom that you have undertaken. . . .

"Once the transcript has been released it will be for the public, the press and the Senate to decide whether this fishing expedition directed at a newspaper and its editor has any relevance to a hearing ostensibly called because a book I wrote reportedly appeared on the shelves of an Information Service library somewhere overseas."

To this, the chairman replied: "Received your wire in which you still take the position that your Communist activities are immune from investigation because you are an editor. You are advised that there is no privileged position insofar as our investigation is concerned. You requested that the record be made public. The committee has authorized me to make it public. I understand from your wire that you now want to check the record before it is made public. I shall be glad to extend this courtesy to you. You may contact Mr. Cohn, chief counsel, and arrange a time to inspect the record and make such corrections as you desire."

James Wechsler then returned for a second meeting with the subcommittee in executive session on May 5, 1953.]

## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—Theodore Kaghan (1912–1989) served from 1950 to 1953 as deputy director of public affairs for the United States High Commission in Germany. From April 4–21, 1953, during the congressional recess, chief counsel Roy Cohn and consultant David Schine had conducted a highly publicized tour of the overseas libraries in Paris, Bonn, Berlin, Frankfurt, Munich, Vienna, Belgrade, Athens, Rome, and London.

In an article on "The McCarthyization of Theodore Kaghan," *The Reporter*, 9 (July 21, 1953), Kaghan wrote that when he first learned that his name had been mentioned in testimony before the subcommittee as a security risk, he had taken the matter lightly: "I knew that I had been cleared for loyalty and security, and I waited for the Department of State to send me some kind of instructions, advice, or information," but the State Department said nothing, and he learned that his case was "under review." Cohn and Schine met with Kaghan in Bonn, and afterwards Cohn told the press that Kaghan had such strong inclinations towards communism that he had telephoned Senator McCarthy to recommend calling him before the subcommittee. Kaghan replied with a statement to the press in which he labeled Cohn and Schine as "junketeering gumshoes." He returned to Washington to testify in executive session on April 28 and in public on April 29 and May 5, 1953.

After the hearings, the State Department requested Kaghan's resignation, although the department subsequently cleared him of allegations of Communist sympathies. He became a United Nations correspondent and foreign affairs columnist for *New York Post*.]

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TUESDAY, APRIL 28, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 11 a.m. in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator John L. McClellan, Democrat, Arkansas; Senator Stuart Symington, Democrat, Missouri.

Also present: Roy Cohn, chief counsel; David A. Surine, assistant counsel; G. David Schine, chief consultant; Daniel Buckley, assistant counsel; Herbert S. Hawkins, investigator; Ruth Young Watt, chief clerk; Mason Drury, State Department liaison with the Senate; Frances Knight, assistant deputy administrator, State Department.

The CHAIRMAN. Will you stand and raise your right hand? In this matter now in hearing, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KAGHAN. I do.

**TESTIMONY OF THEODORE KAGHAN, (ACCOMPANIED BY  
HENRY J. KELLERMANN)**

The CHAIRMAN. Mr. Henry Kellermann is here. He is the public affairs supervisor of the Bureau of German Affairs is that right?

Mr. KELLERMANN. That is right, called supervisor.

The CHAIRMAN. And you would like to sit in this morning if the committee has no objection?

Mr. KELLERMANN. If I may, Senator.

The CHAIRMAN. I do not think we have any objection, do we?

Senator DIRKSEN. No.

Senator SYMINGTON. No.

The CHAIRMAN. You may stay.

Your name is Theodore Kaghan?

Mr. KAGHAN. That is right, yes, sir.

The CHAIRMAN. What is your title?

Mr. KAGHAN. Acting deputy director, Office of Public Affairs.

The CHAIRMAN. And who is the director?

Mr. KAGHAN. Alfred Boerner, B-o-e-r-n-e-r.

The CHAIRMAN. You are acting director. Where is Mr. Boerner?

Mr. KAGHAN. Mr. Boerner is in Germany. I am acting deputy director.

The CHAIRMAN. And you at times act as deputy to Mr. Boerner?

Mr. KAGHAN. Yes, sir.

The CHAIRMAN. Who was your predecessor? Mr. Lewis?

Mr. KAGHAN. No. Mr. Burkhardt, I think, was the last deputy. Mr. Boerner was deputy director before I was.

The CHAIRMAN. What was Mr. Lewis' job?

Mr. KAGHAN. Mr. Lewis was chief of the radio branch, if you mean Mr. Charles Lewis.

The CHAIRMAN. Yes. Can you tell us the official reason for his having left?

Mr. KAGHAN. He told me he wanted to go back into private life.

The CHAIRMAN. Were you ever a member of the Communist party?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Was your wife ever a member?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Did you ever belong to any Communist organizations such as the Young Communist League?

Mr. KAGHAN. No, sir, not the Young Communists League. I did not belong to any organization that I knew to be a Communist organization.

The CHAIRMAN. Did you ever sign a Communist petition?

Mr. KAGHAN. I signed a Communist nominating petition.

The CHAIRMAN. And the man whose petition you signed was a Communist, was he?

Mr. KAGHAN. Yes, he was. I assume he was. He was running on the Communist party ticket.

The CHAIRMAN. And you say at that time you were yourself not a member of the Communist party?

Mr. KAGHAN. That's right.

The CHAIRMAN. What years did you sign a petition or petitions?

Mr. KAGHAN. I think it was in the late thirties, possibly '39.

Senator DIRKSEN. May I ask at this point, are you on duty in Germany?

Mr. KAGHAN. Yes, sir.

Senator DIRKSEN. Or here?

Mr. KAGHAN. In Germany.

Senator DIRKSEN. Is that your regular place of duty?

Mr. KAGHAN. Yes, sir.

Senator DIRKSEN. I was curious when you said deputy director of the Office of Public Affairs.

Mr. KAGHAN. In Germany.

Senator DIRKSEN. Can you clarify that just a little?

Mr. KAGHAN. Of the High Commission in Germany.

Senator DIRKSEN. I see. So you are associated with HICOG in Germany?

Mr. KAGHAN. HICOG; yes, sir.

Senator DIRKSEN. And how did you get your appointment?

Mr. KAGHAN. I came to Germany from the position I held in Austria. I was asked to come to Germany by the then director of public affairs.

Senator DIRKSEN. And you were transferred then on your own request from Austria to Germany?

Mr. KAGHAN. I was transferred partly on my own and I assume by negotiations which must have taken place on a higher level.

Senator DIRKSEN. And how were you appointed in Austria?

Mr. KAGHAN. I was transferred to Austria from the Office of War Information in New York, transferred to Austria in 1945.

Senator DIRKSEN. And how was that transfer made? Was that by direct appointment through somebody here?

Mr. KAGHAN. I don't know whether it would be called a direct appointment. It was a transfer, an administrative transfer, about the details of which I wouldn't know.

Senator DIRKSEN. Let me just get this straight now. Were you in OWI when Elmer Davis was the administrator?

Mr. KAGHAN. Yes, sir.

Senator DIRKSEN. Did this happen at that time?

Mr. KAGHAN. I'm not sure whether he was still the administrator.

Senator DIRKSEN. What year was that?

Mr. KAGHAN. 1945.

Senator DIRKSEN. You left New York and went to Austria on a transfer basis in 1945?

Mr. KAGHAN. Yes, sir.

Senator DIRKSEN. And you were probably on duty at Munich?

Mr. KAGHAN. No, sir; in Salzburg and then in Vienna.

Senator DIRKSEN. And you were how long in Austria?

Mr. KAGHAN. To 1950.

Senator DIRKSEN. Five years?

Mr. KAGHAN. Yes, sir, not quite.

Senator DIRKSEN. Then you were transferred—

Mr. KAGHAN. Then I was transferred to Frankfurt.

Senator DIRKSEN. You asked for the assignment to Frankfurt?

Mr. KAGHAN. No, sir.

Senator DIRKSEN. Who was the high commissioner at that time?

Mr. KAGHAN. Mr. McCloy.

Senator DIRKSEN. So it had to be done at his request or on the part of somebody in Austria?

Mr. KAGHAN. Yes, sir.

Senator DIRKSEN. And who was in charge of the office in Austria when you were there?

Mr. KAGHAN. Ralph Nicholson.

Senator DIRKSEN. Was that also the Office of Public Affairs?

Mr. KAGHAN. He was the director of the Office of Public Affairs.

The CHAIRMAN. Will you hand the petition to the witness?

Mr. Kaghan, will you examine that document handed to you and tell us whether that is your signature?

Mr. KAGHAN. Yes, sir, it is.

The CHAIRMAN. Who were you rooming with at that time?

Mr. KAGHAN. A man named—310 West 47th Street—Ben Irwin, I believe. Ben Irwin, I believe, was living with me at that time.

The CHAIRMAN. Was he a member of the Communist party?

Mr. KAGHAN. I think he was. I have no definite proof that I would be willing to use in a court of law, but I assume that he was.

The CHAIRMAN. You think he was at the time you were rooming with him?

Mr. KAGHAN. Yes.

The CHAIRMAN. How long did you live with him?

Mr. KAGHAN. I can't tell you exactly, sir. I don't remember. I think it was less than a year. It may have been a year or so.

The CHAIRMAN. And as far as you know, he is still a member of the Communist party?

Mr. KAGHAN. I have no idea, sir.

The CHAIRMAN. Did you know Israel Amter?<sup>21</sup>

Mr. KAGHAN. Not to my knowledge.

The CHAIRMAN. Would you care to explain to us why, if you were not a member of the party itself, you would sign a nominating petition for a man you knew to be a Communist?

Mr. KAGHAN. My recollection of this matter is not too clear.

I recall vaguely that Amter was being kept off the ballot by political maneuvering and it was my opinion that although I did not believe in communism as a political philosophy, that a man had a right to be on the American ballot to be voted against and I did not vote for Mr. Amter, but I thought he had a right to be on the ballot.

The CHAIRMAN. What maneuvering was keeping him off? I understand that just by getting a sufficient number of names he would go on the ballot.

Mr. KAGHAN. Yes, sir; that is the point of the petition, but I do not recall what the facts were about keeping him off the ballot. I merely remember that I was indignant that an American couldn't get on the ballot even though he was a Communist, because I didn't understand communism at that time.

The CHAIRMAN. We do not find any news stories about that time in regard to any maneuvering to keep him off. I understand that all he needed were the signatures of a certain number of people

<sup>21</sup>Israel Amter (1881–1954), the Communist party candidate for governor of New York in 1932 and 1942 and for the U.S. House of Representatives at large from New York in 1938.

and he would get on; is that not correct? This party or any other party?

Mr. KAGHAN. I assume that was so and I wouldn't doubt that there may not have been anything that kept him off the ballot. It was my impression at that time that there was.

The CHAIRMAN. What is this maneuvering that you are talking about?

Mr. KAGHAN. It was my impression that there was some reason they wanted to keep him off the ballot. I may have been listening to people who wanted my signature. I couldn't swear that there was anything. I assumed there was.

The CHAIRMAN. Did you support this Communist?

Mr. KAGHAN. I signed the petition. I did nothing further about him that I can recall.

The CHAIRMAN. Did you support him at the election?

Mr. KAGHAN. I did not vote for him. I did not support him at the election.

The CHAIRMAN. In this petition, you say, "I intend to support him at the ensuing election." That is what your affidavit says. Do you claim now that is false?

Senator McCLELLAN. I would like to know the time of this.

The CHAIRMAN. 1939. For your benefit, Senator, this is Theodore Kaghan who is deputy acting director of public affairs of HICOG. He has testified that he lived with a man he knew to be a Communist for about a year. That is about the extent of his testimony so far, plus the fact that he signed this petition.

Senator McCLELLAN. That is sufficient, Mr. Chairman. I just wanted to get the time. It probably is already in the record, but I wanted to get the time of this.

Mr. KAGHAN. Sir, I don't see where it says I would support him.

The CHAIRMAN. I will read it:

I, the undersigned, do hereby state that I am a duly qualified voter of the borough for which a nomination for councilman is hereby made, and have registered as a voter within the said borough within the past eighteen months; that my place of residence is truly stated opposite my signature hereto and that I intend to support at the ensuing election, and I do hereby nominate the following-named person as a candidate of the Communist Party for nomination for councilman to be voted for at the election to be held on the 7th day of November, 1939.

Mr. KAGHAN. I do not recall supporting him.

Senator DIRKSEN. Mr. Kaghan, how old were you at that time?

Mr. KAGHAN. Twenty-seven, sir.

Senator DIRKSEN. At the time you signed that petition had the character and the nature of the Communist movement occurred to you, that it was a destructive force?

Mr. KAGHAN. No, sir; I had no fear of the Communist party as a political force in America at all. I didn't realize it was a menace until sometime later.

The CHAIRMAN. Mr. Kaghan, you have done considerable writing, have you not?

Mr. KAGHAN. I have done some writing, sir.

The CHAIRMAN. Would you say your writing follows the Communist line or not?

Mr. KAGHAN. I would not say so, sir.

The CHAIRMAN. Would you say it does not follow the line?

Mr. KAGHAN. No, sir, I would not say that either, sir.

The CHAIRMAN. You would neither say it follows the line or does not follow the line?

Mr. KAGHAN. I would say neither.

The CHAIRMAN. Do you think it follows the Communist party line?

Mr. KAGHAN. I would say that the Communist party would probably have approved of some of the things I wrote and probably disapproved of some of the things I wrote.

The CHAIRMAN. What are some of the things you wrote that they would approve of; do you know?

Mr. KAGHAN. I have heard that they approved of a play that I wrote.

The CHAIRMAN. How many plays of yours have they taken some part in having published or advertised?

Mr. KAGHAN. I couldn't say, sir. I don't recall beyond that one. There may have been another one, but I don't recall the name of it.

The CHAIRMAN. You do not recall the name of your plays?

Mr. KAGHAN. No, sir, I do not.

The CHAIRMAN. You do not recall the names of the plays that you wrote?

Mr. KAGHAN. I wrote several one-act plays, sir, which I do not recall the names of.

The CHAIRMAN. And you say the Communists approved of one. You do not know which one they approved?

Mr. KAGHAN. I know they approved of the play called *Hello, Franco*.

The CHAIRMAN. Let me read from one of your plays, if I may, and see if you recognize it.

Now, Gordon wouldn't have been shot if he hadn't been a Negro worker. There was no reason for his being shot, except that the top didn't think his life was worth anything. It was purely a case of race discrimination of the worst type, equal to the lynching business going on in the South. The Communist Party is fighting militantly against that and the mass funeral demonstration is a protest against the discrimination, the rising tide of fascism, because such acts on the part of officials is only an indication of the brute force of fascism. The Communist Party wants to unite all workers in a struggle for their rights against the decadent system of capitalism.

Do you recognize that as your work?

Mr. KAGHAN. I don't recognize it, but if you say it is in the play, I assume it is in the play.

The CHAIRMAN. Just hand it to the witness, please, Ruth.

Before looking at that, would you say that follows the Communist party line right down to the last comma?

Mr. KAGHAN. I would say it follows the party line at that time, yes.

The CHAIRMAN. Let me ask you a question. Were you a member of the Communist party at that time? Were you a member of the Communist party when you wrote that?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Were you ever solicited to join the party?

Mr. KAGHAN. I think I was, sir. I'm not sure that it was an outright solicitation to come and join the party, but I know I was being worked on.

The CHAIRMAN. You said you roomed with a man you knew to be a member of the Communist party. Would you name some of your other friends, if you had any other friends, who were also members of the Communist party?

Mr. KAGHAN. I don't recall any that I knew that I knew were members of the Communist party except that one, who is pretty clearly a Communist.

The CHAIRMAN. You say you did not have any other friends whom you knew as members of the Communist party?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Are there any others that you suspected were members?

Mr. KAGHAN. No, sir, because it was difficult to say in those days who was and who wasn't because a lot of people who were not talked a lot of stuff that the Communists would be talking.

The CHAIRMAN. What is the name of this play that has been handed to you?

Mr. KAGHAN. *Unfinished Picture*.

The CHAIRMAN. And you wrote that, did you?

Mr. KAGHAN. I wrote *Unfinished Picture*, yes, sir.

The CHAIRMAN. What year did you write that?

Mr. KAGHAN. 1935.

The CHAIRMAN. Would you say that that was approved by the Communist party?

Mr. KAGHAN. I wouldn't say so.

The CHAIRMAN. You think they would disapprove of it?

Mr. KAGHAN. I don't know what they would have done. Maybe they did approve it. Maybe they didn't.

The CHAIRMAN. Will you say it does follow the Communist line?

Mr. KAGHAN. The play does not, sir.

The CHAIRMAN. The play does not?

Mr. KAGHAN. As I recall it.

The CHAIRMAN. Would you hand that back to me?

Were any of your plays produced by the New Theater League?

Mr. KAGHAN. Yes, sir; *Hello, Franco*, was produced by the New Theater League.

The CHAIRMAN. Did you recognize the New Theater League as a Communist-controlled organization or not?

Mr. KAGHAN. I didn't recognize it then, but I feel that it is or was, feel now that it was.

The CHAIRMAN. You know now that it was Communist controlled at the time they produced your play?

Mr. KAGHAN. I think it was. I think now that it was.

The CHAIRMAN. Do you claim that play did or did not follow the Communist line?

Mr. KAGHAN. The play was probably along the same lines, yes.

The CHAIRMAN. Pardon?

Mr. KAGHAN. The Communist party agreed with the play, yes.

The CHAIRMAN. In other words, you admit that play did follow the Communist line?

Mr. KAGHAN. No, sir. I say the play probably was approved by the Communists. It was not written along a Communist line with communism in mind.

The CHAIRMAN. You feel that it did follow the Communist line either accidentally or otherwise?

Mr. KAGHAN. I prefer to stick it to what I said, sir, if I may, that it was agreeable to the Communists.

The CHAIRMAN. Well, I do not want to ask you questions that will be impossible for you to answer, but I do think you can answer the question as to whether or not you feel that play followed the Communist line. I am not asking you at this time whether you were conscious of that at the time you wrote it or not. The question is: Do you feel that play did follow the Communist party line?

Mr. KAGHAN. I think it did.

The CHAIRMAN. Did anyone help you to write it?

Mr. KAGHAN. It's possible that Irwin did have something to do with some of the rewrite or polishing. He helped me in plays and dramatics and he probably did.

The CHAIRMAN. Did he help you with any of your other plays?

Mr. KAGHAN. He did not help me with that play that you have there, since it was written in college.

The CHAIRMAN. Who helped you with this play?

Mr. KAGHAN. Which, sir?

The CHAIRMAN. This one that we were just looking at, *Unfinished Picture*.

Mr. KAGHAN. I wrote that myself. I write all my plays myself as far as I can remember. In writing a play, one talks to all sorts of people. Some people suggest things. Unless the play is a collaboration job, it is the play of the author.

The CHAIRMAN. Let me read some lines from another of your plays, if I may. See if you recognize these lines:

Communists are people too. They have their individual personalities like everybody else. They don't start raving and ranting at the drop of a hat. They have been taught to see what the blinders are which the capitalist press puts on its readers. Our papers tell the naked truth. We don't fool ourselves. We don't fool others. We don't fool others and we don't fool ourselves.

When you say "Our papers . . . we don't fool others," whom were you referring to?

Mr. KAGHAN. I have no idea, sir. I don't recall who is speaking in that play, what the lines were, or what the reason was.

The CHAIRMAN. These are words you put in the mouth of one of your actors. You say "Our papers tell the naked truth." That means the Communist papers?

Mr. KAGHAN. I don't know, sir. I haven't read the play lately.

The CHAIRMAN. We will refer you to the play and see if you can help us out. I am going to hand this play to you and refer you to page thirty-seven.

Mr. KAGHAN. It seems to be a character in the play saying that. I don't know who the character was and I don't recall the details of the play except that the play was an argument, as I recall it, for some way out of the depression, and it was about a family in which one of the children was for communism and one was against communism, and I do not believe that the play as a whole resolved itself in favor of communism because I didn't believe in communism.

The CHAIRMAN. For the benefit of the senators present, may I say that the staff has read the entire play, gone over it carefully,

and they report that it is strictly the Communist party line and Communist propaganda from beginning to end.

Senator McCLELLAN. Mr. Chairman, there might be a difference of opinion about it. It is a matter that is on file here, is it not, where it could be inspected?

The CHAIRMAN. Yes, sir. In this case, I thought for the senators who do not have a chance to read it, we would let them know the staff has reviewed the play and let them know their analysis of it.

Mr. KAGHAN. May I say that play was written at the University of Michigan, and I received the Avery Hopwood award on the basis of judgment by three impartial judges, and I don't know whether any of them were Communists, but I don't think so.

The CHAIRMAN. Who were the three judges?

Mr. KAGHAN. I don't recall, sir. They always had three judges. I don't know who they were.

Senator SYMINGTON. From what you say, might it be possible that you had one person in the play arguing against communism, and one person in the play arguing for communism?

Mr. KAGHAN. Yes, sir; I think it must be very likely.

Senator SYMINGTON. Does the staff feel that way about it or not?

Mr. COHN. It follows the Communist line from top to bottom.

The CHAIRMAN. Let me read the last two lines, if I may. Here is the conclusion:

Yes, go and lie down in my room. Smell the dust and ashes. Julius, why don't you start burning the whole mess now, you and your Reds. Why do you leave me to look at the wreckage? Why don't you burn it? What are you writing pop for?

The other character:

There is not enough wreckage yet, my child. We have to wait.

Mr. Kaghan, under the administration of the present Information Service of HICOG, did you put out a history a short time ago distributed in Germany?

Mr. KAGHAN. I did not, sir. The Office of Public Affairs had something to do with a history. They did not put it out.

The CHAIRMAN. Were you acting deputy director when it was put out?

Mr. KAGHAN. No, sir, I had nothing to do with that.

The CHAIRMAN. What was your job at the time this—

Mr. KAGHAN. That started, sir, before I came to Germany. It was well under way, I believe, when I came to Germany.

The CHAIRMAN. What is the name of the history?

Mr. KAGHAN. I believe you must be referring to the *Synchronoptesche Weltgeschuchte*, which is a synchro-optical world history. Am I correct, sir?

The CHAIRMAN. That is the history of what?

Mr. KAGHAN. I think it is the history of the world, and it's not a history; it's a synchro-optical scoreboard, as far as I can see.

The CHAIRMAN. Who wrote that history?

Mr. KAGHAN. Somebody named Peters put it together.

The CHAIRMAN. Was Peters a well-known Communist?

Mr. KAGHAN. I have no idea, sir.

The CHAIRMAN. Do you know now that he was a Communist or not?

Mr. KAGHAN. I do not, sir.

The CHAIRMAN. Who published it?

Mr. KAGHAN. A private German publisher. I don't recall the name.

The CHAIRMAN. Do you know whether the publisher was a Communist?

Mr. KAGHAN. I do not. I had nothing to do with that book and I might say if I had seen it—

The CHAIRMAN. You said you did not know whether Peters was a Communist; is that right?

Mr. KAGHAN. I do not.

The CHAIRMAN. You do not?

Mr. KAGHAN. I do not know. Some people say he is and some people say he isn't.

The CHAIRMAN. Do you have any reason to believe that he is?

Mr. KAGHAN. Our security people in Germany—I assume this does not get into the public prints—our security people in Germany said that he was and one of our press officers repeated that and I understand that Peters is contesting that and making quite a fuss about the fact that he isn't and has said that he is going to sue.

The CHAIRMAN. Just so there is no misapprehension, we are making you no promise as to whether this evidence will be made public or not. You will be asked certain questions, and answer them. I noted your statement that you assume this will not get into the public press. The committee will give you no guarantee as to what will be done with this.

Mr. KAGHAN. Can give me no guarantee?

The CHAIRMAN. No guarantee whatsoever; just so you understand that.

Has the book been withdrawn?

Mr. KAGHAN. I think it has. We don't own the book. As far as I can recall, the Office of Public Affairs got some copies of the book and did not distribute it or recall those that had been distributed.

The CHAIRMAN. How much did you—by you, I mean the Office of Public Affairs—pay toward the publishing of this book?

Mr. KAGHAN. As I recall, it was something like \$50,000, in terms of paper.

Senator McCLELLAN. Mr. Chairman, may I interrupt? The Office of Public Affairs paid out \$50,000 on the publication of this book or the purchase of it?

Mr. KAGHAN. They contributed paper to a certain amount.

Senator McCLELLAN. In value?

Mr. KAGHAN. In value.

Senator McCLELLAN. You mean that is the American taxpayers' money?

Mr. KAGHAN. I don't think it's taxpayers' money. I don't know the technique of it. It was counterpart funds.

Senator McCLELLAN. Is not that the equivalent of taxpayer money? Those funds that are made available to us are made available on the basis of taxpayers' money that we spend.

Mr. KAGHAN. Yes, sir. Some people say they are and some people say they are not.

Senator McCLELLAN. I do not care what anybody says. There would not be any counterpart fund if there were not any American

taxpayers' dollars. Were we spending money for this book? I am not passing on the book. I do not know yet.

Mr. KAGHAN. Yes, sir.

Senator MCCLELLAN. It was either taxpayers' money or counter-part funds that were available for our expenditures?

Mr. KAGHAN. Yes, sir.

Senator MCCLELLAN. So we are out around \$50,000 in value?

Mr. KAGHAN. Yes.

The CHAIRMAN. Did you have anything to do with the publication of that book and the distribution of it?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Did you know it was being distributed?

Mr. KAGHAN. No, sir. The first I heard of it was when I saw a copy of it.

The CHAIRMAN. When was that?

Mr. KAGHAN. Some months ago.

The CHAIRMAN. Did you take any steps to have it withdrawn?

Mr. KAGHAN. No, sir; I was not acting deputy, now that I think of it, because, when I first saw the book, I was in the information division and I looked at it and made some uncomplimentary remarks about it. I did not read it. I just looked at it.

The CHAIRMAN. How long have you been acting deputy?

Mr. KAGHAN. Four or five months.

The CHAIRMAN. Four or five months?

Mr. KAGHAN. Was it about four or five months?

Mr. KELLERMANN. I think that is correct, yes.

The CHAIRMAN. When was the book withdrawn?

Mr. KAGHAN. I don't know the exact date, sir.

The CHAIRMAN. Roughly about how many months ago? Was it about a month ago?

Mr. KAGHAN. No, it was more than that. It was three or four months ago. The exact date is available, I am sure, in the Department of State.

The CHAIRMAN. But you say you were not responsible for having it withdrawn?

Mr. KAGHAN. I was consulted. I was in meetings where the matter was discussed and I thought it was not a very good book to have out.

The CHAIRMAN. It was withdrawn on grounds it was written by a Communist author, was it not? That was the reason it was withdrawn?

Mr. KAGHAN. I'm not sure that that was the reason. I think it was withdrawn because there were things in it which were what we thought to be a Marxian interpretation of history.

The CHAIRMAN. In other words, you withdrew it because you thought it followed the Communist line?

Mr. KAGHAN. We would do it because some people read it and discovered it followed Marxian concepts of history. I haven't read it enough to know whether it follows the Communist line.

The CHAIRMAN. You seem to distinguish between the Marxian concept of history and the Communist line. I do not quite follow your distinction.

Mr. KAGHAN. Well, socialism, I assume—I have always assumed is a brand of Marxism.

The CHAIRMAN. Who was responsible in the Office of Public Affairs for the expenditure of \$50,000 on this book?

Mr. KAGHAN. I do not know the details, sir. There was a report written on it, which I am sure is available in the Department of State.

The CHAIRMAN. You do not know?

Mr. KAGHAN. No, sir.

The CHAIRMAN. You have no knowledge?

Mr. KAGHAN. Have no knowledge of that.

Senator DIRKSEN. May I ask a question?

The CHAIRMAN. Yes, sir.

Senator DIRKSEN. How large is this Office of Public Affairs?

Mr. KAGHAN. At the present moment, there are almost thirteen hundred people in it, Americans, and about twenty-five hundred Germans.

Senator DIRKSEN. Are they all located at Frankfurt?

Mr. KAGHAN. No, sir; the headquarters is in Bonn. They are located all over Germany.

Senator DIRKSEN. And your headquarters is where?

Mr. KAGHAN. In Bonn, in Mehlen at Bonn, German capital.

Senator DIRKSEN. I wanted to ask what are the general duties and functions of this Office of Public Affairs?

Mr. KAGHAN. To further American foreign policy, to make the German people understand and follow American principles and leadership in international matters, and to build up the support, confidence, and trust in the United States.

Senator DIRKSEN. And how do you go about those objectives?

Mr. KAGHAN. We do it with the press, radio, film, whatever mass, media we can, whatever influence we can bring to bear on individuals in opinion forming areas—German congressman and senators, and publishers, and school teachers, and whoever we think can influence the general public, and keep Germany solidly on our side.

Senator DIRKSEN. That includes writing articles for newspapers?

Mr. KAGHAN. I do not write articles for newspapers, but it includes publishing a newspaper. We publish an American-owned, government-owned daily newspaper in Germany in the German language which many Germans think is the best newspaper in Germany, and it carries editorials and news material furthering American foreign policy and combating the Soviets and communism.

Senator DIRKSEN. Is it a throw-away, or is it done on subscription?

Mr. KAGHAN. It is not, sir. It is a daily newspaper with about 200,000 circulation, which sells for 15 Pfennigs, and it does not get thrown away at all.

The CHAIRMAN. Is that *Die Neue Zeitung*?

Mr. KAGHAN. That's *Die Neue Zeitung*. It's published in Frankfurt and Berlin.

The CHAIRMAN. What does that cost per year?

Mr. KAGHAN. It has cost us about \$3 million a year. I'm sorry to say I am not prepared for budgetary matters. I didn't bone up on that at all.

The CHAIRMAN. Do you know under what authority that is being done? I do not recall that Congress ever giving the Office of Public Affairs the right to spend \$3 million a year in the newspapers.

Mr. KAGHAN. General Eisenhower started the *Die Neue Zeitung*. As far as I know, there was a message from him announcing its beginning which appeared in the first issue under the military government.

The CHAIRMAN. You say Eisenhower started it. That was during the occupation when there were no other German papers and it was felt necessary to publish it and this is a continuation after all the German newspapers have been running?

Mr. KAGHAN. I didn't get the question.

The CHAIRMAN. I say you gave Eisenhower as the authority for starting it. I am talking about the authority for running that after there are other German newspapers adequately supplying the German people. General Eisenhower I understand ordered this paper opened up when there were no other newspapers in Germany.

Mr. KAGHAN. No, sir, there were other newspapers in Germany.

The CHAIRMAN. There were?

Mr. KAGHAN. Yes, sir.

The CHAIRMAN. How many?

Mr. KAGHAN. I don't know. There were a few other newspapers.

Senator MUNDT. That is published or edited by Mike Fodor in Berlin, is it not?

Mr. KAGHAN. Yes, sir.

Senator MUNDT. I would like to say I have seen several copies of the paper. I know Mr. Fodor very well and I think the paper is doing a very commendable job in Berlin.

Mr. KAGHAN. I wish to say that that paper is directly under my supervision and has been as long as I have been in Germany.

Senator MUNDT. The paper is to be made available to East Germans who slipped through the lines and picked up and there is a considerable number of every edition that goes back behind the Iron Curtain through Berlin to be made available to them, and they also run on the building a sort of flicker announcement such as they have at Times Square and it was from that flicker announcement that the East Germans first learned that Stalin had died and that Gottwald died.

Senator MCLELLAN. I believe you said it cost about \$3 million a year?

Mr. KAGHAN. I believe that was the figure last year and the year before.

Senator MCLELLAN. In round numbers?

Mr. KAGHAN. In round figures.

Senator MCLELLAN. How much of that is recouped by the sale of the paper? In other words, how much a deficit is there?

Mr. KAGHAN. There is an income from circulation and advertising which does not equal that amount, but I can't give you the figures. I do not have those figures. There is a considerable amount of money returned.

Senator MCLELLAN. But there is a deficit in the cost of it that has to be made up out of tax funds or counterfunds?

Mr. KAGHAN. Yes, sir.

Mr. COHN. We were told by the editor of the paper, Mr. Hans Wallenberg—is that his name?

Mr. KAGHAN. That's right.

Mr. COHN [continuing]. That the total cost of the paper is slightly over \$4 million a year, that there is a return of a little over \$1 million a year, which does not go back to the State Department appropriation, but which goes to the general fund, so that the net loss to the taxpayers a year is close to \$3 million a year.

Senator MCLELLAN. Mr. Chairman, I just wanted to get something in the record to indicate the loss.

Mr. KAGHAN. I question the word "loss" sir, to the United States. It is considered to be one of the most prominent, competent, and strongest anti-Soviet newspapers in Germany.

Mr. COHN. Are not you yourself planning to cut down from a daily to a weekly because you realize it is no longer needed as a daily paper in Germany because there are hundreds of other newspapers which are anti-Communist and saying the same things?

Mr. KAGHAN. We are considering that, yes. It is still what I said it was, but it could be in my opinion effective as a weekly and that is being considered, but not approved. It has not been agreed to and plans for its future are still being worked out. My point is to save the paper.

The CHAIRMAN. Does the Office of Public Affairs also operate swimming pools?

Mr. KAGHAN. No, sir, not to my knowledge.

The CHAIRMAN. In Berlin?

Mr. KAGHAN. No, sir. I have never been in touch with any material which would indicate we ran swimming pools.

The CHAIRMAN. Would you know if they did?

Mr. KAGHAN. Yes, I would be likely to know if we did. It is possible that I wouldn't know.

The CHAIRMAN. It is possible you might not?

Mr. KAGHAN. Possible I might not know.

The CHAIRMAN. Do you operate a rabies vaccination center?

Mr. KAGHAN. Sir?

The CHAIRMAN. Do you operate a rabies vaccination center?

Mr. KAGHAN. I doubt that we operate it openly, sir, if there is such a thing.

The CHAIRMAN. You doubt that we operate it openly?

Mr. KAGHAN. Doubt the Public Affairs operates anything like that. They may have contributed to something like that for anti-Soviet purposes in Berlin. I wouldn't know.

The CHAIRMAN. You contributed money?

Mr. KAGHAN. I did not.

The CHAIRMAN. Did you contribute money to the building of swimming pools?

Mr. KAGHAN. I believe HICOG contributed something to the building of that Berlin swimming pool. I am not sure that it was Public Affairs.

The CHAIRMAN. You are not sure?

Mr. KAGHAN. No, sir. It may have been HICOG as a whole.

The CHAIRMAN. Do you know Joe Barnes?<sup>22</sup>

Mr. KAGHAN. Yes, I know Joe Barnes.

<sup>22</sup> Joseph Barnes (1907–1970) was foreign correspondent and foreign editor of the *New York Herald Tribune*, deputy director of Atlantic Operations of the OWI, editor of the *New York Star*, and editor at Simon and Schuster. In 1948 he assisted General Eisenhower with the preparation of his book, *Crusade in Europe*.

The CHAIRMAN. Quite well?

Mr. KAGHAN. I used to know Joe Barnes fairly well. He was not an intimate friend.

The CHAIRMAN. Did he ever hire you?

Mr. KAGHAN. He may have had something to do with my being hired on the Herald Tribune back in 1935 or '36.

The CHAIRMAN. Did you know he was a Communist then?

Mr. KAGHAN. I did not know.

The CHAIRMAN. Do you know he is one now?

Mr. KAGHAN. I do not.

The CHAIRMAN. Do you know it has been testified by a great number of witnesses that he was an active member of the Communist party?

Mr. KAGHAN. I haven't read the testimony, sir. I have been out of the country and I haven't followed those things as closely as other people. It is not known to me.

The CHAIRMAN. When do you say he might have had something to do with your being hired?

Mr. KAGHAN. He was on the paper, I think, when I got there. I am not positive of that, but I think he was.

The CHAIRMAN. What year did you get there?

Mr. KAGHAN. I think 1936.

The CHAIRMAN. How long did you stay?

Mr. KAGHAN. Off and on til 1942.

The CHAIRMAN. You were on the foreign desk when Joe Barnes was foreign editor of the *Herald Tribune*, were you?

Mr. KAGHAN. Yes, I think he was, but he was not my direct supervisor.

The CHAIRMAN. He was not your direct supervisor?

Mr. KAGHAN. No, sir.

The CHAIRMAN. You worked in the same office?

Mr. KAGHAN. No, sir; if you can consider the editorial floor was one great big open office with parts blocked off, he was not in the part where I was.

The CHAIRMAN. Do I understand your statement to be that at the time you roomed with this man whom you said you knew was a Communist you did not think communism was a threat? Is that it?

Mr. KAGHAN. That's right.

The CHAIRMAN. When did you first think that communism might be a threat?

Mr. KAGHAN. I don't know that. I don't know that there is a specific time before my real personal contact with communism and the Red Army and the Soviets, which was in Austria.

The CHAIRMAN. In other words, that is the first time that you began to feel that communism—

Mr. KAGHAN. No, sir, that was not the first time. That was when I was confirmed in my suspicions and these suspicions had been growing for a long time. I don't know how far back they went, but I am sure they went back at least to '39 because I was already sneering at people who were trying to explain the Nazi-Soviet pact.

The CHAIRMAN. Your job over in Germany is to fight communism?

Mr. KAGHAN. That is part of the job. My job is to build a position of strength for the United States in Europe so that communism can be fought.

The CHAIRMAN. You say you have working under your supervision how many people?

Mr. KAGHAN. There is only one American directly under my supervision. The rest of the Office of Public Affairs is under the supervision of the director. I more or less assist the director.

The CHAIRMAN. When you were acting director, how many had you under your supervision?

Mr. KAGHAN. Oh, there would be about 240; around 240, I think is the figure. I am not sure of the number of slots that are not filled at this point. Those are details that I am not prepared to answer. It is close to 250 Americans and about 2500 Germans.

The CHAIRMAN. In other words, about 2,750 under your supervision?

Mr. KAGHAN. If that is the figure.

The CHAIRMAN. Has it ever come to your attention that you had a Communist lecturing the German people?

Mr. KAGHAN. I heard just before I left that there was a question about some lecturer, whose name I don't recall, who lectured in Munich, which, in fact, Mr. Cohn and Mr. Schine apparently came upon. That was the first I heard of it and I don't know much more about it than that.

The CHAIRMAN. It has been brought to your attention that the information program had a Communist lecturing the people?

Mr. KAGHAN. Not in those terms, not that he was a Communist.

The CHAIRMAN. Have you heard the content of any of his lectures?

Mr. KAGHAN. No, sir, I have not.

The CHAIRMAN. Have you ever heard him lecture the people that Malenkov is a peace-loving man and if war came, it would be our fault?

Mr. KAGHAN. I have heard that he is said to have made some remark about Malenkov, something along the line he was for peace. That's as much as I heard about what he said.

The CHAIRMAN. Did you take any steps to have his lectures discontinued then?

Mr. KAGHAN. It was not referred to me. It was referred to Mr. Boerner and I believe he did take such steps.

The CHAIRMAN. Do you know for a fact that this man has been lecturing since?

Mr. KAGHAN. No, sir, I do not.

The CHAIRMAN. Did you check on that? Did you not interest yourself?

Mr. KAGHAN. I did not. I interested myself in the fact that Mr. Boerner was handling that matter and was in direct touch with the public affairs office in Munich and when I was preparing to come over here, they were talking about discontinuing the man's lectures.

The CHAIRMAN. They were talking about discontinuing him?

Mr. KAGHAN. I overheard one-half of one part of the phone conversation in which Mr. Boerner said, "Get rid of him," or words to that effect.

The CHAIRMAN. Do you think a serious mistake has been made if he gave some lectures since your department discovered he was lecturing the people that Malenkov was peace loving and that Russian educational system should be adopted in Germany?

Mr. KAGHAN. I don't know that he said that.

The CHAIRMAN. Would you say a serious mistake was made if he were kept on?

Mr. KAGHAN. If a man is giving lectures favoring the Soviet Union, he certainly should not be kept on.

The CHAIRMAN. As acting deputy director, I assume you took some interest in this when you heard that this man was lecturing along the Communist line. My question now is: Do you think it is a mistake to have kept that lecturer on?

Mr. KAGHAN. It is a mistake to keep a Communist or Communist-inclined person. I do not know the facts of this case.

The CHAIRMAN. Mr. Kaghan, would you say that your own plays would have been of some value in achieving your purpose over in Germany so that the people could have read them?

Mr. KAGHAN. I don't think so now, no, sir.

The CHAIRMAN. In other words, do you think these would have been very bad plays for the people over there to read?

Mr. KAGHAN. Yes, I think so.

The CHAIRMAN. You say you changed since then.

Mr. KAGHAN. I think so. I think those would be bad plays. I haven't read them, but I assume they would be bad plays.

The CHAIRMAN. Have any charges been filed against you under the security regulations or under the loyalty security program?

Mr. KAGHAN. I don't know what the technical phraseology would be for charges filed. Am I permitted to talk about security matters?

The CHAIRMAN. You are permitted to answer that question.

Senator SYMINGTON. I suggest that if the witness feels that he might be violating security, he be allowed to talk to the committee off the record.

The CHAIRMAN. We have a representative of the security division of the State Department here if there is anything wrong. If there is anything in the record that would violate our security, we can certainly delete it.

Senator SYMINGTON. You are going to have a franker witness if he feels that there is no chance of what he says being put in the paper than you are going to have if he feels what he says is going to be put in the record.

The CHAIRMAN. Mr. Symington, I think this witness is under oath and I think he should be required to answer the questions. If the security representative of the State Department feels that the material should be deleted, I think we should delete it.

Would you answer that question, please?

Mr. KAGHAN. Yes, sir. Would you repeat the question, sir?

The CHAIRMAN. The question was: Have letters of charges been served on you under the loyalty security program since this committee brought some of your activities to light?

Mr. KAGHAN. No, sir, not since.

The CHAIRMAN. Not since. When were letters of charges served upon you at any time?

Mr. KAGHAN. I received an interrogatory in 1950. I think it was asking questions about my past, which I filled out and returned through channels to Washington.

Senator MCCLELLAN. May I ask a question, Mr. Chairman?

The CHAIRMAN. Senator McClellan.

Senator MCCLELLAN. Is that routine? Has that been largely routine on all employees?

Mr. KAGHAN. No, sir, I don't think that all employees get an interrogatory. I think they get one when there is something to ask of a serious nature.

Senator MCCLELLAN. I did not know whether it was a routine check that was made, or whether it was something peculiar or special in your case.

Mr. KAGHAN. To my knowledge, it was peculiar to my case.

The CHAIRMAN. Had you applied for a job with the Voice of America?

Mr. KAGHAN. I am unwilling to say, sir, that I specifically applied. There was discussion and correspondence about my working for the Voice. I recall getting a letter asking if I would be interested in taking over the Austrian desk of the Voice in exchange for sending the head of the Austrian desk of the Voice to Austria to take over the newspaper, and as far as I can recall, I said I was not interested in that kind of a job.

They may have asked me about other jobs, but I don't remember specifically applying for a job in the Voice.

The CHAIRMAN. Do you know whether a security check was made on you to determine whether you would qualify for the job with the Voice under Public Law 402?

Mr. KAGHAN. I would not know, sir, that any specific check has been made for the Voice itself.

The CHAIRMAN. Had you heard that you did not pass that security clearance?

Mr. KAGHAN. I heard it through reading the newspapers in Germany.

The CHAIRMAN. When did you first hear that?

Mr. KAGHAN. I assume it would be the day after the hearing where Mr. Thompson made the allegation.

The CHAIRMAN. That is the first time you had any reason to believe that you had flunked the security clearance?

Mr. KAGHAN. It was the first time I had heard a specific statement saying that I had applied for a job in the Voice and that I flunked a security test.

The CHAIRMAN. Had you before that any information at all to indicate that you did not favorably pass the security test?

Mr. KAGHAN. No, sir, not to my knowledge.

The CHAIRMAN. You had no information of any kind?

Mr. KAGHAN. Not to my knowledge.

Senator DIRKSEN. How would that appear in the newspaper, in what form?

Mr. KAGHAN. It was a report of a hearing, sir, of this committee in which Mr. Thompson stated that I had applied for a job at the Voice and had been turned down for security reasons.

Senator McCLELLAN. In other words, the first you had knowledge of it was the news story reporting the hearing in New York City at which Mr. Thompson testified?

Mr. KAGHAN. That's right. I heard about it from the Associated Press in Germany.

The CHAIRMAN. Mr. Kaghan, I am a bit puzzled about one thing. You have a record here of having signed the Communist petition, having lived with a member of the Communist party, having written plays which you say were acceptable by the Communists and produced by a Communist front. Then you were hired to head the information program to fight communism in Germany. I wonder just what you did between 1939 when you say you began to realize the dangers of communism and the time that you got this very, very important job heading up the entire information program in HICOG. What did you do to convince the people who hired you that you were a real fighting anti-Communist?

Mr. KAGHAN. I don't think the people who hired me were as much concerned about my being a real fighting anti-Communist as they were in my being a loyal American who was competent to do a certain type of job.

I worked on the foreign desk of the *Tribune*. I went to the Office of War Information at their request in 1942. Mr. Edward Barrett hired me.

The CHAIRMAN. Let me put it this way then: Do you know of anything you did between 1939 and the time you got this job heading up the information program to indicate to the people who hired you that you were anti-Communist? Let us leave out the fighting part.

Mr. KAGHAN. Yes. I did not go along with any Communist activities that I know of and I believe it was known, and in Austria I ran a newspaper which was very strongly anti-Communist. In 1946 in Austria, I was asking for more leeway to expose the Russians. I did that in Austria when the American policy there was to take it easy because General Clark had difficulties of a bigger nature than I understood, and I worked through Austria getting a reputation for being an anti-Communist fighter, which the chancellor of Austria has just commented upon in a letter to me, if I may read a paragraph, in which he states:

Through your various activities here in Austria where we had to, and still have to, withstand strong Communist pressure, you placed yourself very clearly in line with the Austrian Federal Government. I remember clearly how you courageously and with disregard of personal danger faithfully took the side of the Austrian Government during the October revolution when the Communists in Austria wanted to seize power by force. Therefore, I really can't believe it Mr. Kaghan, that people are seriously going to jump on you, and I just had to tell you this as an old friend because I know you so well as a democrat and as an anti-Communist.

Senator McCLELLAN. What is the date?

Mr. KAGHAN. 15 April, but I received it last week.

Senator McCLELLAN. Figl?

Mr. KAGHAN. Chancellor Figl.

Senator McCLELLAN. In the publication of that paper do you have editorial clippings that would establish clearly the policy that you pursued in the paper?

Mr. KAGHAN. Sir, I have not had time to collect them, but they certainly exist in the State Department. I have a column here in 1946 which does that, but there are dozens and dozens of edi-

torials. I did not write one every day, but I wrote many and it was not editorials alone. Not all people read editorials. More people read news. It was the handling of news which the chancellor commented on here, "It was in your handling of news."

Senator McCLELLAN. That is one aspect of it. I think you might have further evidence with respect to your own editorials which express your views that possibly had been used.

Mr. KAGHAN. Yes, sir, I have editorials like that. They can be clipped from the State Department, and I will be glad to get them and have them transmitted. I do not have them with me. There must be dozens of them.

The CHAIRMAN. Did you ever tell the FBI or any government agency about this Communist that you were rooming with? Did you ever tell them that he was a Communist?

Mr. KAGHAN. I don't think I said specifically he was. I think I told them that I thought he probably was. I would not make a specific statement that he was because I might have to prove it in court some day.

The CHAIRMAN. Did you ever go to the FBI or did you tell them when they were investigating you? Did you ever voluntarily go to the bureau and say, "Here is a man who is a Communist?"

Mr. KAGHAN. No, sir.

The CHAIRMAN. The only information you gave them was when they were investigating your activities?

Mr. KAGHAN. Yes, sir.

The CHAIRMAN. In living with this Communist for a year I assume you must have gotten to know some other Communists.

Mr. KAGHAN. I assume I did, but not know so well that I would know who they were.

The CHAIRMAN. In other words, you cannot remember the names of any others?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Not a single one?

Mr. KAGHAN. Well, I remember the name of a girl he was going to marry. I don't know whether he did or not. She probably was in the same sense that he was. I don't remember her name.

The CHAIRMAN. It seems to follow a pattern, Mr. Kagan, pretty much. It is pretty much the same pattern. You cannot remember a single name of any Communist except the one that the FBI had already exposed.

Mr. KAGHAN. In '30s Communists didn't stick out as Communists. There were a lot of people who were very left and very pink and they were not members of the Communist party, and those who were didn't identify themselves, and I ran into a lot of them because I didn't appreciate the danger communism was at that time, didn't understand them.

The CHAIRMAN. Did you recognize communism as a danger at all?

Mr. KAGHAN. In the '30s I recognized it as a philosophy that could not be of any importance in the United States.

The CHAIRMAN. When you say you intend to support a Communist candidate and you signed a petition to that effect did you really intend to support him at that time?

Senator MUNDT. What year was that?

The CHAIRMAN. 1939.

Mr. KAGAN. I'm not sure I did. I do not recall supporting him.

The CHAIRMAN. Do you know whether you intended to support him when you certified that you were going to support him?

Mr. KAGHAN. I do not recall how determined I was to support him. I only recall that I thought he ought to be on the ballot to carry out American principles.

The CHAIRMAN. However you thought communism was a danger?

Mr. KAGHAN. I thought communism was un-American.

The CHAIRMAN. However, you certified you would support a Communist; is that correct?

Mr. KAGHAN. To get on the ballot.

The CHAIRMAN. You did not say you will support him to get on the ballot. You say: "I intend to support him at the ensuing election."

My question is: Is that a correct statement, or were you making a false statement at the time?

Mr. KAGHAN. I don't believe I was making a false statement, but it says, "I intend to support" and maybe I did intend to support him at that time. I don't recall.

The CHAIRMAN. If you intended to support him how do we reconcile the fact that you say you did think communism was a danger at that time and un-American?

Mr. KAGHAN. Because as far as I knew about it, it was a philosophy, a political philosophy, which couldn't possibly get anywhere in America because it had no appeal to Americans and there was no reason for communism in America.

Senator MUNDT. What was it that impelled you to support him at that time?

Mr. KAGHAN. The fact that I thought a man who had principles like that and ideals like that ought to be on the ballot to be voted against as well as for.

Senator MUNDT. As I understand the chairman, you signed an obligation to support him at the polls, not to get him on the ticket.

Mr. KAGHAN. It says "I intended to support him."

Senator MUNDT. I wonder what impelled you to intend to support him.

Mr. KAGHAN. I probably overlooked the "intend to support" in the interest of getting the man on the ballot.

Senator MUNDT. Was he a friend of yours?

Mr. KAGHAN. I did not know him, sir.

Senator McCLELLAN. I would just like to make this comment for you to elaborate on if you care to. I have listened very attentively to your testimony, and I want to commend you for being very frank and, apparently, sincere in everything you have said, and that is the only conflict that arises in my mind, that here you are declaring an intent to support a Communist candidate and at the same time say that that philosophy was not needed in America and had no appeal to America and you did not regard it as of any great importance. Yet you were initiating or helping to initiate an action to place a Communist on the ballot. That seems a little inconsistent to me. Elaborate on that any way you can.

Mr. KAGHAN. I agree with you. I assume that probably I signed that petition like one signs petitions. You don't read all the print

that goes with it when you are told that they need five thousand or whatever it was signatures to get a man on the ballot and "Will you sign?" and I signed. I mean, to get a man on the ballot.

Senator MCCLELLAN. You mean you probably at the time did not recognize the full significance and import of the printed petition?

Mr. KAGHAN. I probably did not, sir.

Senator MCCLELLAN. You are not clear about that?

Mr. KAGHAN. I was thinking, as far as I can recall, of the man's right to be on an American ballot.

Senator MUNDT. Let me get to the question that the chairman asked a little earlier, about which I am somewhat curious: If you had signed that petition before you were employed by the government, and if you had written plays—I was not here for the full testimony; I may be wrong—that the Communists approved of before you signed that petition, before you got your government job, and if you had been rooming with a Communist prior to that time, what was it that transpired between the time that these incidents took place and the time that you went to work for the government, which would have convinced your future employer, number one, that you were not a Communist, and, number two, that you would be the type of fellow that would be fighting against Communists?

Mr. KAGHAN. Well, I was working on foreign news during the war—I don't have any dates straight, but I think the Finnish War was involved there. During the time that I was working on the foreign desk of the *Tribune* was a lot of war news, naturally, but it was after the Soviets had fixed it for the Nazis to make the war, and I couldn't possibly have trusted them in any way, and I am sure that I made myself clear to anybody I may have talked to about it.

Senator MUNDT. Did you write any by-line or stories for the *Tribune* about that time that would indicate it?

Mr. KAGHAN. No, sir, that was not my job. My job was to edit what other people wrote.

Senator MUNDT. How did you first come in contact with a government job?

Mr. KAGHAN. I don't know who told me. Somebody in the newspaper—I don't know who it was—told me. Word got around that the government was looking for foreign news editors to get into the Office of War Information, and I went over and talked to Edward Barrett, who later became assistant secretary of state, and it was he who persuaded me to take the job.

Senator MUNDT. Was he then with OWI?

Mr. KAGHAN. He was with OWI.

Senator MUNDT. And he was the man who brought you? He was the man who brought you in?

Mr. KAGHAN. He was the man who brought me in.

Senator MUNDT. And did you work with OWI through to the end of the war?

Mr. KAGHAN. Yes, I worked with OWI through to the end of the war, and then I went overseas.

Senator MUNDT. To Austria?

Mr. KAGHAN. To Austria.

Senator MUNDT. What were the circumstances by which you went from OWI to Austria?

Mr. KAGHAN. It was an administrative transfer. I went from OWI into what would be considered the field, except when I got over there it became the Information Services Branch, which was part of what I think was the Psychological Warfare Branch that came up from Africa and Italy, and occupied Austria, and when I went over there I went on an occupation mission which very soon became, clearly, a mission against the Soviets and against communism, because it became clear in very short time that these people had different ideas than we had about post-war Europe.

Senator MUNDT. Your job in Austria was to edit this paper which has been referred to in the letter by the chancellor?

Mr. KAGHAN. One of my jobs in Austria was to edit the paper. I also had responsibility for all newspaper operation news agencies, pictures, magazines, pamphlets, leaflets and at one time radio.

Senator MUNDT. When did you go to work for what is now known as IEA or the International Educational and Exchange Administration?

Mr. KAGHAN. I never did go to work for them myself. I was carried along, and whatever changes occurred occurred back here in Washington while I was abroad. The OWI sent me abroad, but when I got there it was not OWI; it was Information Services Branch of the U.S. Army, and I stayed with the army until I went to Germany. When I got to Germany I was in the high commissioner's office, and the high commissioner was—I don't know when he was IEA. The information operation became IEA only recently. I worked in Austria under Lt. General Geoffrey Keyes.

The CHAIRMAN. Did you ever go to any Communist meeting?

Mr. KAGHAN. I think I did. I don't know which ones were Communist and which ones were not, but I went to meetings which I feel now were probably Communist.

The CHAIRMAN. You actually know that you went to a very sizeable number of Communist meetings, do you?

Mr. KAGHAN. I wouldn't say sizeable. I was not much of a meeting-goer. I went to several meetings.

The CHAIRMAN. You held some in your home, did you not?

Mr. KAGHAN. Not to my knowledge.

The CHAIRMAN. Not to your knowledge?

Mr. KAGHAN. No.

The CHAIRMAN. You had meetings in your home, did you not?

Mr. KAGHAN. I do not recall having political meetings.

Mr. COHN. What about the Communist you were living with?

Mr. KAGHAN. I do not recall having political meetings there, although he may have had people in there which could be construed as a meeting.

The CHAIRMAN. Do you know whether this Communist roommate had Communist friends in there and had a meeting in your home or in that home shared by the both of you?

Mr. KAGHAN. It is likely. I do not recall any specific meeting.

The CHAIRMAN. You recall that there were meetings, do you not?

Mr. KAGHAN. I do not recall that there were such things as meetings.

The CHAIRMAN. There were a group of Communists in that place?

Mr. KAGHAN. There was company, sir. He had people in. Whether they were Communists or not I couldn't say. I assume some of them probably were.

The CHAIRMAN. How many meetings did you go to outside of your home that you now recognize as Communist meetings?

Mr. KAGHAN. I couldn't say, sir. I don't recall.

The CHAIRMAN. More than a dozen?

Mr. KAGHAN. I don't think so. It's possible, but I don't think so because I didn't like to go to meetings.

The CHAIRMAN. Would you say around a dozen?

Mr. KAGHAN. I wouldn't like to make any specific figure. I went to several meetings in my time.

The CHAIRMAN. Did you go to less than a half dozen? Or is it your testimony that you do not know whether it was more or less than twelve?

Mr. KAGHAN. It is my testimony that I went to a number of meetings which I believe were Communist meetings now.

The CHAIRMAN. Did you know that they were Communist meetings then?

Mr. KAGHAN. I don't know in every case that they were. I'm not sure which ones were and which ones weren't.

The CHAIRMAN. However, you know that some of them were Communist meetings?

Mr. KAGHAN. I knew that some of them could have been Communist meetings. I don't recall clearly whether they were ever publicly or openly identified as Communist meetings. It wasn't significant.

The CHAIRMAN. Mr. Kagan, you say you did not like to go to meetings, so it must have been an unusual meeting that got you to go there. Therefore, I assume when you went to a meeting you knew who was meeting and what was the purpose.

Mr. KAGHAN. Not always.

The CHAIRMAN. Sometimes. How would you happen to go?

Mr. KAGHAN. There would be a meeting for a specific political purpose which I would be asked to go to. If I was interested in the subject or if I was interested in the speaker I might go. I don't recall which ones those would be. I was a sucker in those days.

Senator MUNDT. What were some of these announced political purposes, Mr. Kagan?

Mr. KAGHAN. Sir, I don't recall that, but in most cases I think they were short-range objectives of the Communists, if they were Communist meetings. The short-range objectives are the objectives which the Communists always put in front of you, whatever they were doing, and if I happened to be interested in something—

Senator MUNDT. You cannot remember any of the topics discussed?

Mr. KAGHAN. I cannot remember. I can remember only one meeting that the topic was something that I can recall, and that was the Soviet-Nazi pact, and I cannot recall where it was except this was in New York.

The CHAIRMAN. You cannot recall where it was?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Do you recall where any of these meetings were held?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Not a single meeting?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Even though you went to the meetings you do not know the name of a single person who attended them?

Mr. KAGHAN. Well, this fellow Irwin usually, often was with me.

The CHAIRMAN. In other words, as of now, the only Communist that you can identify is the one who has been well known as a Communist. You cannot give us the name of any other Communist?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Of all the people who attended these meetings you cannot name one Communist?

Mr. KAGHAN. They were not identified as Communists, itself.

The CHAIRMAN. Can you give us the name of anyone who came into your home, or your friend's home?

Mr. KAGHAN. No. I do not recall anybody. Those days are pretty dim in my memory. I don't remember the names. If I heard some names I might recall that I met them at that time.

The CHAIRMAN. What was the name of this woman whom you said was a Communist?

Mr. KAGHAN. I said there was a woman that he married or may have married that I thought might have been a Communist as he.

The CHAIRMAN. Do you know her name?

Mr. KAGHAN. I don't recall her name.

The CHAIRMAN. Do you know a Colonel Lawrence Ladue?

Mr. KAGHAN. I do not recall Colonel Ladue.

The CHAIRMAN. You worked under him?

Mr. KAGHAN. Yes.

The CHAIRMAN. You know that he gave a report on your activities?

Mr. KAGHAN. I do not know that.

The CHAIRMAN. You worked under him for how long?

Mr. KAGHAN. I'm not sure. It was in Austria.

The CHAIRMAN. 1946?

Mr. KAGHAN. It would have been 1946.

The CHAIRMAN. This is the time during which you say you were running this paper and fighting communism; is that right?

Mr. KAGHAN. Right.

The CHAIRMAN. Do you know whether Colonel Ladue reported that you insisted on publishing articles from TASS and you insisted on printing news from the United States concerning rapes and lynchings, and that you were very friendly with the Russians and wanted to accept an invitation to visit Russia, and Ladue refused to allow you? Do you remember if he issued such a report?

Mr. KAGHAN. I do not know that.

The CHAIRMAN. Did you insist on printing dispatches from TASS?

Mr. KAGHAN. I insisted on having the liberty to print dispatches from TASS.

The CHAIRMAN. In other words, you insisted on printing them and using your own judgment on what to print?

Mr. KAGHAN. Just my own judgment.

Senator MUNDT. What was your purpose in that?

Mr. KAGHAN. In order to use their own material to expose them, where I thought I could use it for that purpose.

Senator MUNDT. Do you very frequently find TASS publishing things that are detrimental to communism?

Mr. KAGHAN. If printed in conjunction with something else it can be very detrimental. It is a technique which we are now using, using their own words and their own statements written at another time, in juxtaposition, which exposes them as being liars, and I thought we could do some of that if I had the liberty to use their material. I remember there was some kind of an argument about using TASS at all, and I wanted the freedom to use it when I could use it against them.

The CHAIRMAN. You wanted the right to use their dispatches in toto without making any comment on them? You were not going to use them editorially?

Mr. KAGHAN. I was going to use them in news, depending upon how they could be played. I wouldn't write an editorial into a news story, no, sir.

The CHAIRMAN. In other words, you were going to write the TASS dispatch?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Copy it?

Mr. KAGHAN. No, sir; I was going to take the TASS dispatch which I thought might prove a point on our side and use it.

The CHAIRMAN. By using it you were going to—

Mr. KAGHAN. Reprint part of the dispatch. Now, in printing a news story you can cut it off. If it's too long you cut it, or I can rewrite it and give the gist of the TASS dispatch and credit TASS with it and say that is what it says and here is another story which tells something entirely different, an entirely different story.

The CHAIRMAN. Did you insist to Ladue that you had the right to print stories of rapes and lynchings in the United States?

Mr. KAGHAN. I don't recall insisting on rapes and lynchings. I would believe that that would be part of a discussion on how to run a newspaper.

The CHAIRMAN. Do you remember that you did on occasion insist on running stories of lynchings and rapes in the United States?

Mr. KAGHAN. I do not remember it, sir, but I am pretty sure that I insisted on the right to use my judgment on how to play stories which might be used by the Communist press in Vienna and printed their way, and I thought it would be better to give the straight facts our way on certain occasions. That would not be often, but if something happened over here that reflected on the credit of the United States I wanted the right to print the story in the American way and not just leave it to the Communists to print it their way.

The CHAIRMAN. Did Colonel Ladue take the position that you were too friendly to the Communists?

Mr. KAGHAN. Not to me he didn't.

The CHAIRMAN. He never did?

Mr. KAGHAN. Not that I can recall. He may have concerned himself with it. He may have said something about that subject, but I was not too friendly with the Communists, so I don't imagine—

The CHAIRMAN. Do you not know that that was his position, that he let it be known that he felt you were too friendly with the Communists?

Mr. KAGHAN. I do not recall that he said that. He may have said that on some occasion. We had to work with Soviets and I'm not sure he said I was friendly with the Communists or Soviets. We had to work in a city surrounded and filled with the Soviet army and Communists. It was Red Vienna.

The CHAIRMAN. You just got through telling us that you were insistent that you be allowed to get tougher with the Communists than you were allowed to do. Now, Ladue is the man you would insist to if you did any insisting; is that correct? Do you follow me, sir?

Mr. KAGHAN. Yes, but it wouldn't always have been Ladue. He was not there all the time. I think Ladue came after Colonel Grogan. I believe it was Colonel Grogan, General Clark's public relations man. It could have been that I had the same argument with Colonel Grogan or with General Clark on how to handle propaganda, whether to use the enemy's stuff against them or not. There was always some fear that using the enemy's stuff at any time was dangerous, and naturally it always is.

The CHAIRMAN. Were you invited to visit Russia?

Mr. KAGHAN. I don't recall that I was.

The CHAIRMAN. You do not recall that you were?

Mr. KAGHAN. I do not.

The CHAIRMAN. If you had been you would remember that, would you not? It is no small event in your life to be invited to visit Russia at a time very few Americans were allowed in there? If you were invited you would remember, would you not?

Mr. KAGHAN. If I had a formal invitation to visit Russia I think I would remember it, but I do not recall any such formal invitation was given to me. There may have been some conversations between me and one of the Russian officers that we had to work with in the Allied Council or in the press field. I am not sure. I don't deny that I received such an invitation. I say I do not recall it.

The CHAIRMAN. Do you recall having sent a memorandum to Ladue? Do you recall having sent a memorandum to him to the effect that you had received an invitation and you wanted to accept it?

Mr. KAGHAN. I do not recall it.

The CHAIRMAN. Do you say now you did not send such a memorandum?

Mr. KAGHAN. I did not say so. It is possible that I sent such a memorandum if I received such a memorandum. The first thing I think I would do would be to tell my superior officer.

The CHAIRMAN. However, you do not recall now asking permission from Ladue to visit Russia in 1946?

Mr. KAGHAN. I do not recall it.

The CHAIRMAN. Your testimony is that it may or may not have occurred, but you do not remember it?

Mr. KAGHAN. I do not remember it.

The CHAIRMAN. You cannot swear it did not happen?

Mr. KAGHAN. No, sir, I would not say it did not happen. It was not unlikely. The Russians were also engaged in psychological warfare.

The CHAIRMAN. Did you ever belong to the Abraham Lincoln Brigade?

Mr. KAGHAN. I am not sure that I did. I would not say that I did or didn't. I was sympathetic with the Abraham Lincoln Brigade. I'm not sure that I belonged to it.

The CHAIRMAN. You know it has been designated as a Communist front?

Mr. KAGHAN. I know that now.

The CHAIRMAN. Did you have anything to do with the New Theater League?

Mr. KAGHAN. They produced my plays and I was in and out of there very much.

The CHAIRMAN. You wrote for them, did you not?

Mr. KAGHAN. Yes, I think I did.

The CHAIRMAN. Did you know it was a Communist-controlled organization?

Mr. KAGHAN. I did not know it was a Communist-controlled organization. I thought it was very far to the left, and that there were Communists in it, and Irwin was in charge of it, so it was pretty much under Communist influence I thought.

The CHAIRMAN. In other words, at the time you were writing for it you knew it was very far to the left and you knew that a Communist was in charge of it?

Mr. KAGHAN. Yes, sir.

The CHAIRMAN. Did you agree with the philosophy expressed by the New Theater League?

Mr. KAGHAN. I don't recall what their philosophy was. I know that they helped produce plays of social protest. I think that was the phrase in those days, and I was writing plays of social protest because they were very dramatic.

The CHAIRMAN. Did the plays that you wrote represent your thinking?

Mr. KAGHAN. Not necessarily. They represented my dramatic interpretation of events at the time. I would not deny that there was some of my thinking in the plays, but I can't say, not recalling specifically the full text of any play, that it represented my thinking all the way through or its final conclusion. It depended on the dramatic situation that developed.

Senator MUNDT. Have you written any plays on the other side of the coin opposing or exposing communism?

Mr. KAGHAN. No. I think I have done better than that in fighting communism. I have been over in Europe doing it where it's a very serious, imminent and present danger and threat in the physical form of the Red Army. I haven't written any plays for a long time and I have not had occasion to use that theme.

The CHAIRMAN. Have you kept Communist books on the shelves of the information library, HICOG?

Mr. KAGHAN. We have taken off all the books they have ordered removed, ordered by the State Department.

The CHAIRMAN. Prior to the order that came out recently after this committee started to work, had you been maintaining works of Communist authors on your bookshelves?

Mr. KAGHAN. There were books on the bookshelves that yes, Howard Fast, I believe, was on the bookshelves, some of the bookshelves.

The CHAIRMAN. And is it true that there are a number of the works of Communist authors on your bookshelves?

Mr. KAGHAN. I don't know that it's true.

The CHAIRMAN. Were you not ever curious to know what kind of books you were putting out in Germany?

Mr. KAGHAN. I assume the man in charge of the library was taking care of American interests and seeing to it that the wrong kind of books did not get on as well as he could. I did not read the books. I didn't have a catalog and I didn't have responsibility until recently for anything in the book field. I didn't have a listing of the books.

The CHAIRMAN. Did you take any interest in that at all?

Mr. KAGHAN. Yes, I took an interest in it.

The CHAIRMAN. Were you ever curious to know whether you had Communist works on the bookshelves? Did it ever enter your mind?

Mr. KAGHAN. No, it never occurred to me that that was a problem.

The CHAIRMAN. And the man in charge of bookshelves was working under you when you were acting director?

Mr. KAGHAN. When I am acting director.

The CHAIRMAN. And do you think that it was right or wrong to keep the works of Communist authors on your bookshelves?

Mr. KAGHAN. I think in general it's wrong.

The CHAIRMAN. In general you say it is wrong?

Mr. KAGHAN. Yes. All the books that I know of, books like Howard Fast's about America, I think that's wrong to have on the bookshelves.

The CHAIRMAN. Are you going to take steps if you return to your job to discipline the man responsible for that?

Mr. KAGHAN. That would be the duty of the director.

The CHAIRMAN. Are you going to recommend that he be disciplined? Are you going to recommend that he be disciplined or removed?

Mr. KAGHAN. I should have to consult the State Department before I would take action on that. It's a matter which involves more than myself.

The CHAIRMAN. What is your position? Do you think that the individual responsible for putting Communist books on our shelves over there should be called to give an account for that?

Mr. KAGHAN. If there is any person who is putting Communist books on our shelves I think he should be called to account.

The CHAIRMAN. You just got through saying there were these books on your shelves. Someone put them there.

Mr. KAGHAN. Yes, sir, but I'm not sure it was the man in Germany.

The CHAIRMAN. Whoever it is, you think he should be called to account?

Mr. KAGHAN. I think an explanation would be useful.

The CHAIRMAN. An explanation?

Mr. KAGHAN. Yes.

The CHAIRMAN. Do you think there can be any satisfactory explanation to putting Communist books on your shelves over there?

Mr. KAGHAN. In my opinion, no, but other people might think so.

The CHAIRMAN. However, in your opinion, it is improper?

Mr. KAGHAN. It's improper.

The CHAIRMAN. And you think it should not have been done?

Mr. KAGHAN. I think it should not have been done.

The CHAIRMAN. Do you think that those Communist books were placed on the shelves as a result of incompetence, or deliberately to sabotage our efforts to fight Communists?

Mr. KAGHAN. I would say it would not be easy to ascertain. I don't know why they would be there. I would have to talk to the persons involved and the persons responsible directly for listing and putting and buying those books. I don't know.

The CHAIRMAN. If you had the right to discharge the man who purchased those Communist books, books by known Communist authors and placed them on our shelves, would you fire him?

Mr. KAGHAN. If they were known Communist authors, yes.

The CHAIRMAN. Who over in your department is in charge of the library?

Mr. KAGHAN. In my department it's a man named Dunlap.

The CHAIRMAN. How long has he been in charge?

Mr. KAGHAN. He's been in charge of the American houses, which include the libraries, for, I think, less than two years.

The CHAIRMAN. Who is responsible for the publication of the history book by Mr. Peters?

Mr. KAGHAN. I am not sure that I can place the responsibility on that, sir. There has been a lot of reporting on that, and I am not sure they have nailed down which specific person or persons is directly responsible.

The CHAIRMAN. Has there been an attempt in your department to nail down specific person or persons?

Mr. KAGHAN. Yes, there has been, and we are working on it in Germany, and have been as soon as we discovered it.

The CHAIRMAN. You say that the Communist books are being taken off the bookshelves now. How many books have been taken off the shelves?

Mr. KAGHAN. I do not have the figures, sir. The directions or instructions to take books off the shelves come from the department, and they are carried out by the man who has charge of the books, and I think it may be a dozen by now or something like that.

The CHAIRMAN. A dozen different books, or dozen different authors?

Mr. KAGHAN. Dozen different authors, I think.

The CHAIRMAN. You do not know how many books?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Have you taken off the shelves the works of any authors who were not called before this committee?

Mr. KAGHAN. I could not answer that offhand, sir. I would have to look at the record.

The CHAIRMAN. Were you not concerned?

Mr. KAGHAN. I don't know who was called in front of this committee.

The CHAIRMAN. Did you get any report from your people since Mr. Dulles ordered those Communist books taken off the shelves as to how many volumes were to be taken off the shelves?

Mr. KAGHAN. Whatever instructions we got to take books off the shelves we followed out immediately. How many there were I couldn't say right at this moment.

The CHAIRMAN. What was the instruction? Did it name the authors?

Mr. KAGHAN. It named the authors who should be removed, and they were removed.

The CHAIRMAN. Did you not have a blanket instruction to remove the works of all known Communist authors?

Mr. KAGHAN. At one time I think there was some general instruction, the famous "Et Cetera" instruction. I don't recall the specific wording of that. But we required clarification of just what was meant.

The CHAIRMAN. Do you know Pauline Royce?

Mr. KAGHAN. Not to my knowledge.

The CHAIRMAN. Do you know a Gladys Ruth Green?

Mr. KAGHAN. Not to my knowledge.

The CHAIRMAN. Just one other question. Your testimony today is that you do consider it improper to have the works of Communist authors in our libraries, and if you had the power to fire the individual responsible for putting them there, you would do that; is that correct?

Mr. KAGHAN. Yes, sir.

The CHAIRMAN. Let me ask you this: there has been some discussion about the necessity of having the public affairs officers read Communist books to be able to follow the Communist line and that sort of thing, and I do not think anyone on this committee would question the wisdom of that. I assume if you want to fight Communists you must know what they are saying. Let us have it clear now that the books in the libraries were available for the general public and were not there merely for the Public Affairs Office; is that right?

Mr. KAGHAN. That's right.

The CHAIRMAN. I assume we both agree that there should be no ban against the officials in charge of the library or officers over there having any Communist books that they felt necessary in order to acquaint themselves with what the Communists were doing; is that correct?

Mr. KAGHAN. Yes, sir.

The CHAIRMAN. Mr. Cohn has some questions.

Mr. COHN. Have you ever been known by any other name?

Mr. KAGHAN. Yes, I was born Theodore Cohen.

Mr. COHN. How is that spelled?

Mr. KAGHAN. C-o-h-e-n.

Mr. COHN. Was your name legally changed?

Mr. KAGHAN. It was legally changed in the state of New York.

Mr. COHN. In what year?

Mr. KAGHAN. 1942.

Mr. COHN. And have you ever been known by any names other than those of Cohen and Kaghan?

Mr. KAGHAN. In college I used a middle name, Theodore Kane Cohen.

Mr. COHN. Did you ever use the name Kane?

Mr. KAGHAN. No.

Mr. COHN. Was Kane your middle name?

Mr. KAGHAN. It was a name I put in as my middle name.

Mr. COHN. You just put it in?

Mr. KAGHAN. Yes.

Mr. COHN. Were you born with a middle name?

Mr. KAGHAN. No, I was not. I may have used the name Kane when I was trying to avoid being known as Jewish.

Mr. COHN. Pardon?

Mr. KAGHAN. I may have used the name Kane when I was trying to avoid being known as Jewish.

Mr. COHN. You were trying to avoid being known as Jewish? When?

Mr. KAGHAN. In my youth I had some foolish notions and there were probably inhibitions involved and I may have used that.

Senator MUNDT. Did you ever publish any books or plays under a pseudonym?

Mr. KAGHAN. No, sir.

Mr. COHN. I do not understand what you wanted to avoid or why you wanted to avoid being known as Jewish.

Mr. KAGHAN. Because I was a foolish young man.

Mr. COHN. How old were you then?

Mr. KAGHAN. Oh, I was probably in college. I was in my early twenties. If I went out with girls whom I didn't want them to know I was Jewish I might have done that.

Senator MUNDT. At what age were you when you changed your name legally?

Mr. KAGHAN. I was thirty, and it was done legally, but I had been using that name consistently since 1935, when I was twenty-three.

The CHAIRMAN. I am going to ask you to look at this Communist petition, and ask you if you know the person who signed as a witness.

Mr. KAGHAN. I can't make out the name.

Mr. COHN. The first name is Gene, apparently, G-e-n-e.

Mr. KAGHAN. It could be O'Shea, or it seems to be O' something, but I don't know what it is.

Senator MUNDT. Could Gene have been the first name of Mr. Irwin's girlfriend?

Mr. KAGHAN. I don't think so, doesn't sound familiar.

The CHAIRMAN. Mr. Kaghan, I note that the press quoted you as referring to our investigators as gumshoeing junketeers; is that a correct description? First, let me ask you were you correctly quoted by the papers when they said that you referred to our two investigators as junketeering gumshoes?

Mr. KAGHAN. That is correct.

The CHAIRMAN. Do you think that is a correct description?

Mr. KAGHAN. Well, it's a phrase which I described them rather dramatically, and I used it because I thought they were going about a very serious business in a very superficial way.

The CHAIRMAN. You said they uncovered this Communist lecturer. Do you think that was a pretty good service? You had a lecturer over there preaching the Communist line and the two gumshoeing junketeers uncovered this Communist lecturer. Do you not think that might be worthwhile, that the trip was worthwhile for that reason, if for nothing else?

Mr. KAGHAN. Sir, I don't know that the lecturer was a Communist. I didn't say he was. I heard there was somebody who lectured that might be considered Communist by somebody.

Senator MUNDT. Assuming for the sake of the question, without going into the merits of it, that he was, would you then say that the trip was worthwhile?

Mr. KAGHAN. If the two young men had discovered a Communist lecturing in the American houses, I am not sure the way they were conducting the trip it would have paid off either if they found only one Communist. I think eventually if he was a Communist he would have been found out anyway.

Mr. COHN. Of course, he was found out by somebody from your department, and after he was found out he gave nine more lectures. Do you know that?

Mr. KAGHAN. I do not know that.

Mr. COHN. So, apparently, the finding out was not enough. How many Communists do you say should have been found out in order to make the trip worthwhile?

Mr. KAGHAN. That's a question that is almost impossible to answer. You can't go by the volume. If you found a hundred Communists they might not be as valuable as one other Communist that you didn't find. It depends on where the guy is and what he is up to.

Mr. COHN. Have you done anything about finding Communists?

Mr. KAGHAN. That isn't my business, to find Communists. We assume our people are security cleared, and I depend on our security people for that.

The CHAIRMAN. I am very curious to know what the two investigators did that you condemned over there and what you felt was wrong.

Mr. KAGHAN. Well, in the first place, they came to Germany and avoided seeing me until late in the afternoon, and a little bit before they left. My name had been kicked around in hearings and I expected to have a chance to talk to them. I expected to brief them on public affairs and what we are doing, and they avoided me, and when they finally did see me it was fine, I appreciated that, and then they went up to Berlin and they made a statement to the press that I had Communistic tendencies, which I couldn't let go by without a statement. In addition to that, they were carrying out what I consider a serious piece of business in Europe which takes a little bit different technique in some cases than it does here. They came over there and by their activities I think reflected discredit on this committee and the Senate.

The CHAIRMAN. Tell us what the activities were. So far you said they saw you late in the afternoon instead of the morning. Number

two, you said they went to Berlin and said you had Communistic tendencies.

I may say that, from the evidence before us, considering the plays that you wrote, the fact that you had books by Communist authors on your bookshelves, did nothing about it until the new State Department forced you to get them out, the fact that you lived with a Communist and attended Communist meetings, might justify almost anyone saying you had Communist tendencies, so that, so far, I do not think you have convinced us that they have done anything too wrong. You said they had other activities. What were the other activities that brought this discredit to the men?

Mr. KAGHAN. In saying that I had Communistic tendencies. I don't quarrel with their right to say that if they thought I had them. I don't think they should have said it in the city of Berlin where the Communist menace is a serious thing. I do not think they should have said it to the press before they were pretty sure about it. The over-all situation they created was one of giving the Germans a chance to jump on the United States and on this committee and on the Senate for doing things which the Germans really did not understand, and we hadn't a chance to explain, and here they were raising an issue in Germany which had been a domestic matter largely, and brought it into not just the German press but the entire European press.

The CHAIRMAN. Just to get the time sequence straight, did you not call them names first publicly, calling them gumshoeing junketeers before they said you had Communistic tendencies?

Mr. KAGHAN. No, sir, I did not. I called them after they said I had Communist tendencies, and had told the press in Berlin that.

The CHAIRMAN. Had you made no statement about them at all?

Mr. KAGHAN. I had made no public statements about them at all.

The CHAIRMAN. Had you or anyone in your department, to your knowledge, helped write the stories covering their trip to Germany?

Mr. KAGHAN. Not to my knowledge and I doubt very much if anyone would because material that was printed about them was not doing the United States any good.

Mr. COHN. Now, Mr. Kaghan, let's see if we can get some of the facts here.

Number one, for your information, no one ever said anything about your having Communist tendencies. The only thing that was ever said was a reference to the public testimony in public record of this committee up to the time prior to your trip to Europe. Not one word was said beyond the contents of that public record. There was a specific reference to what that public record demonstrated in the form of three documents: this petition, which was in evidence in public session; and, two, of your plays and the fact that one of them has been produced by the New Theater League and referred to in the *Daily Worker* on a specific day.

Nothing was said beyond that and if you had taken the trouble to be in touch with us or inquire from Mr. [John] Slocum, you would have found that to be the fact.

The second thing is you say you are offended because we didn't see you until the afternoon and ask you about public affairs. The first point is Mr. Boerner who is the public affairs officer, had made an arrangement to see us and meet with us in great length

and discuss the Office of Public Affairs and I think it was our option to talk to him rather than with you.

The second point is when we did see you was it not a fact that the very first question I asked you you refused to answer? I asked you whether or not you had signed this Communist party petition and you said you wouldn't tell us.

Mr. KAGHAN. I answered the question.

Mr. COHN. Eventually you did, after I reminded you of the directive of Mr. Dulles saying you were required to answer.

Mr. KAGHAN. Then I answered the question.

Mr. COHN. Did you answer the question when I asked you to name Communists that you knew?

Mr. KAGHAN. I did not think it was wise to name Communists in an open session like that when there were people around who had no immunity and you had no immunity, and I said I was prepared to name them right here. May I correct you on another point? I do not believe you could have made any arrangements to see Mr. Boerner at the time you saw the press at three o'clock because we hadn't been able to find Mr. Boerner.

Mr. COHN. We had been able to find Mr. Boerner before we left the United States so I don't think that you are quite accurate in that.

Mr. KAGHAN. Mr. Boerner's wife couldn't find him.

Mr. COHN. I am not going to get into a lengthy discussion. Mr. Boerner went to the Hotel Royal in San Remo for his vacation. We planned it well in advance and the day before we left the United States people from the department had been in touch with Mr. Boerner and he was going to meet us at one of two places. The time was not fixed, but we knew we were going to see him as we did. Is it not a fact that attacks not on us, but on Senator McCarthy, on Secretary Dulles, and President Eisenhower, and on the United States, appeared well in advance of our visit in papers financed by HICOG?

Mr. KAGHAN. Would you repeat that?

Mr. COHN. Would you repeat it to him please, Mr. Reporter?

[The record was then read by the reporter.]

Mr. KAGHAN. Criticism of the United States and the secretary of state and of the senator could very well have appeared in all kinds of papers at one time or another in advance of your visit.

Mr. COHN. You say could very well have. Don't you ever read of any attacks—

Mr. KAGHAN. There is always criticism of the United States. There is always criticism of personalities and policies of people. The implication that there was any connection between the German press to whom we had given assistance and attacks on the senator or on the government is not true.

Mr. COHN. Do you think it is a wise policy on the one hand to have the taxpayers of the United States lose \$3 million a year on one paper—by the way, that is many, many times the entire amount of money spent for a whole information bureau in some of the key areas in the world where the Communist movement is much stronger than in Germany. Do you think it is wise to publish a newspaper at the loss of \$3 million a year and, on top of that, to finance some other papers and to have the end result some vi-

cious attacks in some of these ninety-six papers, some twelve of them anyway, on President Eisenhower, Secretary Dulles, and the United States of America as a whole?

Do you think that is good policy?

Mr. KAGHAN. That isn't the policy, Mr. Cohn. We have been trying to bring up a proper western press and a press which will be free of Communist threat and Communist influence and not the influence and Nazi control and we do not dictate to them what they should say. Some of them criticize Senator McCarthy and some other papers criticize Senator McCarthy and they have a right to do so and if we try to stop them, they would think we were—

The CHAIRMAN. I am not concerned with the criticism of McCarthy. I am somewhat concerned that you are subsidizing papers that make it attacks upon the secretary of state and our president. They are the representatives of the American people. As far as attack on McCarthy is concerned, I have no concern with that at all.

Mr. KAGHAN. I do not agree. I don't believe it was subsidizing the press in the strictest sense of the word. We have arranged for a revolving fund in which they can borrow money to make themselves free of left and right wing control.

The fact that they criticize the United States in individual cases I think is not as dangerous as if the entire German press were opposed to the United States or were under the direct influence of the Soviets or Communists.

Senator MUNDT. Let me ask you a question about the two papers, Mr. Kaghan, that are published entirely with the United States funds, the one in Frankfurt and the one in Berlin.

Do they engage in the policy of criticizing the secretary of state or the United States senator or the president?

Mr. KAGHAN. No, sir, they do not. They avoid that sort of thing. They try their best and do a wonderful job of explaining what the policy of the United States is as expressed by the secretary and president.

Senator MUNDT. So these articles which appeared in the press supported by the revolving fund do not appear in the papers supported by the United States fund?

Mr. KAGHAN. They do not.

Senator MUNDT. Let me ask the staff if they refute that.

Mr. COHN. You mean the *Die Neue Zeitung*?

Senator MUNDT. I think that's the name.

Mr. COHN. No, we did not find any attacks in the paper that was wholly paid for by the United States rather than partly financed. There were hundreds of attacks in these other papers, some of them strictly vicious.

Mr. KAGHAN. If you will check into that revolving press fund you will find that it's been a very successful effort to solidify the German press and get it independent of political influences which would make it dangerous to the United States, and at the present moment, Germany is going further and further toward our side.

We still haven't got Germany on our side. They still haven't signed these contracts and even when they do we have to have the German people with us, and halfway through Germany are the Russians, and we have to keep going at them and the newspapers are one of our weapons.

The CHAIRMAN. Do you know Hans Wallenberg?

Mr. KAGHAN. Yes.

The CHAIRMAN. Have you ever heard that he was a member of the Communist party?

Mr. KAGHAN. I have not.

The CHAIRMAN. You have not heard that he is a member of the Communist party or ever was? Have you ever heard he followed the Communist line?

Mr. KAGHAN. I have heard that there has been derogatory information about Hans Wallenberg. I don't know specifically what it was, but I have heard there was.

The CHAIRMAN. Has he to your knowledge been accused by anti-Communists of following the Communist line?

Mr. KAGHAN. Not to my knowledge.

The CHAIRMAN. What other names has Wallenberg been known as?

Mr. KAGHAN. To my knowledge, I only know him by Hans Wallenberg.

The CHAIRMAN. You say to your knowledge he was never accused of being a member of the Communist party. You have never heard that?

Mr. KAGHAN. Never heard that.

The CHAIRMAN. Never heard anyone accuse him of it?

Mr. KAGHAN. No, sir.

Mr. COHN. Are you standing on the word "member"? You have been told there was derogatory information to the effect that he has been connected with the Communist movement.

Mr. KAGHAN. I have been told that there was derogatory information about him which was of a political nature.

Mr. COHN. Involving Communists. I am going to suggest there are people who say they told you this.

Mr. KAGHAN. You may, but whether it was Communist or whether it was left winger or not—

Mr. COHN. You know he wasn't a Nazi. That is what I am trying to get at.

Mr. KAGHAN. I can't say I remember specific words.

Mr. COHN. Did the information contain left wing activities or Nazi activities?

Mr. KAGHAN. Left activities.

Mr. COHN. I want to ask you this. By the way, before we leave this last point, you say that none of the people connected with your office supplied any of this information to the German press; is that right?

Mr. KAGHAN. Which information?

Mr. COHN. Information concerning our trip.

Mr. KAGHAN. Well, if the press called up and wanted to know where you were, I assume Slocum might have told them.

Mr. COHN. As a matter of fact, you had somebody tailing us twenty-four hours a day and sending in reports.

Mr. KAGHAN. I did not.

Mr. COHN. Who did?

Mr. KAGHAN. Office of the high commissioner had a man attached to you who was your escort.

Mr. COHN. I don't know what he was. He kept saying he was merely going on the same conveyance because he had to meet Congressmen, Congressman Corbett or somebody. I walked in on him when he was phoning and he was reading a list of the witnesses we had interviewed, what we had for lunch, how much the check was, and a lot of other things, and I do not know that those items, mostly inaccurate—by the way, some of the actual questions we had asked some of the witnesses involving security in the HICOG offices. In the German press. Now, they must have come from someplace.

Mr. KAGHAN. They did not come from my office. I do not know where they came from and I did not assign the escort officer to you. He was not responsible to me.

Mr. COHN. You were worried about the influence on the United States and all that. You read that article in the *Abenpost*, did you?

Mr. KAGHAN. I did.

Mr. COHN. You did?

Mr. KAGHAN. Yes, and I regretted the appearance of that article.

Mr. COHN. The article contained that information, a good part of it lies, and, first of all, I am asking you this: What was done when you saw in that article a list of questions we had asked the witnesses? The State Department asked us to see certain witnesses. We saw them in confidence in the office of one of the high officials of HICOG, and then we pick up a newspaper and find a list of questions we asked.

Mr. KAGHAN. What could be done to a German newspaper that had these?

Mr. COHN. Well, this is one of our financed papers, first of all, but the second point is this: What was done about this official who apparently had given this information to the newspapers?

Mr. KAGHAN. I don't know which official gave it and it was not out of my office.

Mr. COHN. They printed his name, one named Frank Milk.

Mr. KAGHAN. He's not an official of mine.

Mr. COHN. He is connected with MSA under this information program.

Mr. KAGHAN. He's not in the information program.

Mr. COHN. It is not under him?

Mr. KAGHAN. It's under him, yes.

The CHAIRMAN. Who assigned this man to follow Mr. Cohn and Mr. Schine?

Mr. KAGHAN. A man was assigned to escort them.

The CHAIRMAN. Use any term you want. Who assigned him?

Mr. KAGHAN. I assume it was Mr. [Glenn] Wolfe. I'm not sure.

The CHAIRMAN. Who is he?

Mr. KAGHAN. Executive director of HICOG.

The CHAIRMAN. He was an officer in HICOG?

Mr. KAGHAN. Yes, sir.

The CHAIRMAN. Did you know that he was reporting on the activities of Mr. Cohn and Mr. Schine?

Mr. KAGHAN. I did not. He never called me.

Mr. COHN. Do you know Mr. Slocum?

Mr. KAGHAN. Yes.

Mr. COHN. Do you know whether or not this man called Mr. Slocum? You are under oath.

Mr. KAGHAN. I know that.

Mr. COHN. Do you know that he was calling Mr. Slocum?

Mr. KAGHAN. I don't know whether he called Slocum. Slocum was the press officer and had to handle this program and had to keep up with where you were and had to know what was going on in order to answer questions in the press. We were trying to help this situation along, not make it worse.

The CHAIRMAN. You were aware of the fact that Mr. Cohn had told this escort that they wanted no part of him and that he trailed—

Mr. KAGHAN. No, sir, I did not know that they told him that.

The CHAIRMAN. You did not know that?

Mr. KAGHAN. I did not know that.

The CHAIRMAN. Did you know that Mr. Slocum was getting reports from him as to where they ate and what time, and whom they had lunch with? Did you know that?

Mr. KAGHAN. I wasn't aware of it, but I'm not surprised.

Senator MUNDT. You say you knew Mr. Slocum was getting reports?

Mr. KAGHAN. Yes. It was his business to know whether or what the congressional visitors were doing or senatorial investigators were doing, where they were, so that answers from the press could be taken care of. The trouble arose from the press conference, not from us. The American press started this.

Senator MUNDT. What did Mr. Slocum do with the information he got? What would he do with it?

Mr. KAGHAN. If the Associated Press wanted to know where they could get a hold of Mr. Cohn at any specific time, it would be up to Mr. Slocum's office to inform them and if they wanted to interview him in one city or another in Germany it would be up to Mr. Slocum to tell them which city they were to send somebody.

The CHAIRMAN. You mean that you are entitled to spend money to keep track of congressional investigators so you can tell the press where they are? Is that part of your function?

Mr. KAGHAN. I wouldn't put it that way, sir.

The CHAIRMAN. You just said that his job was to be able to tell the press where Cohn was.

Mr. KAGHAN. To give answers to the press' questions?

The CHAIRMAN. If we send fifty people to Europe investigating, do you say it is your job to be able to tell the press any time where they are and what they are doing?

Mr. KAGHAN. The high commissioner's office is supposed to be able to supply the press with as much information as possible so they may do their work and report back to the American public what is being done in Germany and who is visiting there.

The CHAIRMAN. Mr. Kaghan, if we send investigators out in the United States, the State Department does not send or put a tail on them so they can tell the press where they are.

Mr. KAGHAN. No, sir.

The CHAIRMAN. If we send a man down into Mexico, as far as I know, the State Department does not put a tail on them.

Mr. KAGHAN. No, sir, and I assume they don't give press conferences at every stop.

The CHAIRMAN. You mean because they give a press conference you felt that you were entitled to pay travel expenses for a man to tail them through Germany and report to Mr. Slocum; is that correct?

Mr. KAGHAN. No, that is not correct.

The CHAIRMAN. Then on what theory did you feel it was proper or one of your subordinates, to take this man and pay his traveling expenses—you are paying his salary, too—to tail two investigators and pay for long distance phone calls reporting to Mr. Slocum where they were and what they were doing? On what theory, do you justify that expenditure?

Mr. KAGHAN. I cannot justify it because it is not my business. He didn't work for me. I didn't put him on the job and I didn't ask him to call and he didn't report to me.

The CHAIRMAN. You were Slocum's superior officer?

Mr. KAGHAN. Yes, sir, and he stayed right in his office and didn't go anywhere.

The CHAIRMAN. You knew that he was having this man tail these two men?

Mr. KAGHAN. No, sir, he did not work for Slocum either. He worked for Mr. Wolfe.

The CHAIRMAN. Did they know that this fellow was tailing these investigators?

Mr. KAGHAN. No, sir; I was assuming that he was an escort officer.

The CHAIRMAN. Did Mr. Slocum have discussions with you on the reports he got from this tail?

Mr. KAGHAN. Yes, he certainly had discussions with me. He is always telling me what he is doing or what is going on in Germany.

The CHAIRMAN. He told you about this man phoning in the reports?

Mr. KAGHAN. No, sir, not specifically. He at one time or maybe three or four times could have said [Bill] Montecone, the escort, told me. I didn't pay any particular attention to whether he heard they had a press conference there.

The CHAIRMAN. Do you know that Slocum was getting telephone reports on the trip that Mr. Cohn and Mr. Schine were making? Did you know that?

Mr. KAGHAN. I knew that he got a report or two. I don't know that he was being reported to.

The CHAIRMAN. Do you think that it was a proper expenditure to pay the expense of this man to follow these two young men and report on what they were doing? Do you think that was a proper expenditure of your Public Affairs Office?

Mr. KAGHAN. The Public Affairs Offices did not spend any money on this man who went with them as escort officer and if anybody had sent anybody to follow them and report on them I would think that would be unjustified and uncalled for, but the man went as an escort officer, as is normal with VIP's who come to Germany.

The CHAIRMAN. You just said it was necessary so you could report to the AP where they were. You do not think that is correct,

do you? You do not think the expenses are justified so you could tell the AP where Cohn was?

Mr. KAGHAN. I had nothing to do with the expense. The man didn't work for me. I didn't send anybody to follow them or be with them.

The CHAIRMAN. Do you think it would be a proper expenditure by HICOG to pay this man's expenses to follow Cohn and Schine through Europe and report by long distance phone to Slocum what they were doing? Would that be a proper expenditure?

Mr. KAGHAN. If anybody followed them to report on what they were doing, it would not be a proper expenditure in my office.

The CHAIRMAN. I have nothing further.

Mr. COHN. Just one or two things. When you were in Vienna—this is December of 1947—we have some information concerning the conversion of five thousand shillings by you. Do you recall that incident? Could you clear that up for us?

Mr. KAGHAN. No. I recall some incident about it. There was a conversion that went on in Austria. There were all sorts of problems connected with it. I am not familiar with the details.

The CHAIRMAN. Did you make any profits from that?

Mr. KAGHAN. I didn't make any profit from any of my years in Germany and my bank account will show it, or in Austria.

Mr. COHN. What was your relation with this conversion of these five thousand shillings?

Mr. KAGHAN. I don't know exactly what my relationship was officially. The newspaper must have had a bank account which must have been involved in the conversion. Possibly that is what you are talking about, and I had something to do with that bank account.

Mr. COHN. This involved you personally. I will tell you exactly what I am talking about. It was an investigation of possible payroll padding in March of 1949 by the provost marshal. In the course of that, you were interviewed and evidence had been developed that you had converted five thousand shillings through fellow employees in December of 1947? Do you recall that?

Mr. KAGHAN. No, I do not recall the details of that.

Mr. COHN. Do you not recall the question by somebody in the provost marshal's office?

Mr. KAGHAN. Vaguely, yes.

Mr. COHN. What do you recall about that?

Mr. KAGHAN. Not a word that the provost marshal asked me or any of his agents asked me, and I don't recall that it was specifically me or there was something I knew about or was supposed to know about.

Mr. COHN. It was supposed to be specifically you, but you say you do not recall?

Mr. KAGHAN. I do not.

The CHAIRMAN. Did you ever contribute any money to the Communist party?

Mr. KAGHAN. No, sir, not to my knowledge.

The CHAIRMAN. Did you ever give Ben Irwin any money?

Mr. KAGHAN. I may have loaned him money.

The CHAIRMAN. I believe you said that you told Mr. Cohn that you would not name the Communists you knew over in Germany,

but you would do it before this committee. Will you name those Communists now?

Mr. KAGHAN. I have named Ben Irwin as the person I thought was a Communist.

The CHAIRMAN. That is the only one you know?

Mr. KAGHAN. That is the only one I feel pretty sure was a Communist and I do not recall the names of others who were.

The CHAIRMAN. Do you know any Communists working for HICOG in Germany?

Mr. KAGHAN. No, sir.

The CHAIRMAN. You do not know of any?

Mr. KAGHAN. I do not know of any Communists working for HICOG.

The CHAIRMAN. None that you suspect of being Communist?

Mr. KAGHAN. No, sir.

The CHAIRMAN. Any that you suspect of being sympathetic to communism?

Mr. KAGHAN. No, sir.

The CHAIRMAN. None whatsoever?

Mr. KAGHAN. None whatsoever. If I knew of any sympathetic to communism that were working for me I would fire them.

The CHAIRMAN. If you knew any who felt the way you did in 1939, would you fire them?

Mr. KAGHAN. In 1939?

The CHAIRMAN. Yes.

Mr. KAGHAN. Yes, I would.

The CHAIRMAN. You would fire them?

Mr. KAGHAN. Yes. If he didn't know any more about communism than that, I would fire him.

The CHAIRMAN. We will adjourn until 10:30 in the morning at which time we will have a public session.

You may have counsel in case you care to have counsel with you. If you have counsel, you are entitled to advise with counsel at any time you care to and discuss any matter with him at any time you want to. If a matter comes up where you think you need a confidential conference with counsel any time during the hearing, we will try and provide a room to which you can go and have such a conference. It is just up to yourself whether you want counsel or not. We do not let counsel take any part in the proceedings.

[Whereupon, at 1:07 p.m., Tuesday, April 28, 1953, the executive session was concluded.]

**STATE DEPARTMENT INFORMATION  
SERVICE—INFORMATION CENTERS**

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**TUESDAY, MAY 5, 1953**

[EDITOR'S NOTE.—James A. Wechsler returned to testify in executive session a second time on May 5, 1953. Ten days later the transcripts of both the April 24 and May 5 sessions were made public, and the subcommittee published them later that year.]



## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—Poet, novelist and editor Millen Brand (1906–1980) testified again in public session on May 6, 1953.]

TUESDAY, MAY 5, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 3:30 p.m. in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Stuart Symington, Democrat, Missouri; Senator Henry M. Jackson, Democrat, Washington.

Present also: Roy M. Cohn, chief counsel; Howard Rushmore, research director;<sup>23</sup> Donald A. Surine, assistant counsel; Ruth Young Watt, chief clerk.

The CHAIRMAN. Will you raise your right hand? In this matter now in hearing, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRAND. I do.

### TESTIMONY OF MILLEN BRAND

Mr. COHN. Mr. Brand, your full name is Millen, M-i-l-l-e-n, Brand, B-r-a-n-d?

Mr. BRAND. That is right.

Mr. COHN. What is your present business affiliation?

Mr. BRAND. With Crown Publishers.

Mr. COHN. Crown Publishers in New York?

Mr. BRAND. That is right.

Mr. COHN. That is a very large publishing firm, is it not?

Mr. BRAND. Fairly large.

Mr. COHN. For how long a period of time have you been with them?

<sup>23</sup> Howard Rushmore (1914–1958) served as the subcommittee's director of research from April 1 to July 12, 1953. The former film critic for the *Daily Worker* fell out with the Communist party in 1939 over its criticism of his review of *Gone With the Wind*. Rushmore became a feature writer for William Randolph Hearst's *New York Journal-American*. He testified before the House Un-American Activities Committee about the Communist leanings of prominent Hollywood actors and writers, and before the permanent subcommittee on March 5, 1953, about Reed Harris. Rushmore quit the subcommittee following a dispute with Roy Cohn and afterwards publicly criticized Cohn and Senator McCarthy. He became editor of the magazine *Confidential*, but later testified against the magazine in court. The *New York Daily News* dubbed him a "turncoat of many colors." Roy Cohn observed that Rushmore had "a mental quirk which resulted in his trying to hurt everyone he had ever worked for." In 1958, Rushmore shot and killed his wife and himself in a New York City taxi.

Mr. BRAND. About a year.

Mr. COHN. You have been with them for about one year. Mr. Brand, are you now or have you ever been a member of the Communist party?

Mr. BRAND. I refuse to answer on the grounds of the Fifth Amendment.

Mr. COHN. Mr. Brand, are you the author of some books?

Mr. BRAND. That is right.

The CHAIRMAN. May I ask a question? Are you a member of the Communist party as of today?

Mr. BRAND. I refuse to answer on the grounds of the Fifth Amendment.

The CHAIRMAN. You understand, Mr. Brand, that this privilege under the Fifth Amendment is not a privilege that can be lightly taken, it can only be taken if you honestly feel that a truthful answer might tend to incriminate you? Therefore, I will ask you do you honestly feel if you were to tell the committee whether or not you are a Communist today, tell them the truth, that answer might tend to incriminate you?

Mr. BRAND. I refuse to answer on the same grounds.

The CHAIRMAN. You are ordered to answer that question. I understand you do not have counsel here, so I will try and go over this again.

A witness cannot be forced to testify against himself. The only right you have to refuse to answer this particular instance that we are talking about, is that if you honestly feel that a truthful answer would tend to incriminate yourself. If you feel that you would incriminate yourself for perjury, you cannot refuse to answer.

The committee must decide in each instance whether you have the right to refuse to answer. Before we can determine that, I ask you the simple question of whether or not you feel that a truthful answer to the question of whether or not you are today a Communist might tend to incriminate you. If you honestly feel that it would tend to incriminate you and you tell us that, then you are entitled to refuse to answer. If you do not, we would order you to answer the other question. Do you understand?

Mr. BRAND. You mean I would be in contempt if I refuse to answer?

The CHAIRMAN. If you refuse to answer whether you truthfully feel, that you honestly feel, that the truthful answer would tend to incriminate you, then I would order you to answer.

Mr. BRAND. I have to ask you for fairness on this because I am unfamiliar with this.

The CHAIRMAN. It is a question I have asked other witnesses, and I have taken the same position with them. I may say this, that if at this point or at any other point in the proceedings you feel that you need the advice of counsel, we will be glad to let you obtain a lawyer who can advise you on that. We do not want to take advantage of anyone at any of these hearings.

Senator SYMINGTON. May I ask a question?

The CHAIRMAN. Yes.

Senator SYMINGTON. Do you feel that you are a good American?

Mr. BRAND. You see, I am at a complete loss here because I don't know what questions are permissible and what are not.

Senator SYMINGTON. How old are you?

Mr. BRAND. I see what you mean.

Senator SYMINGTON. If you see what I mean, you are not at a complete loss, are you?

Mr. BRAND. Naturally I can say how old I am.

Senator SYMINGTON. What is your age?

Mr. BRAND. Forty-seven.

Senator SYMINGTON. At forty-seven you ought to know whether or not you believe you are a good American, should you not?

Mr. BRAND. There is a question involved here. I suppose actually I should say I am, but there is a question that I do not know the area where you—

Senator SYMINGTON. Why do you not say? If you feel you are a good American, why do you not say you are a good American, and if you feel you are not, why do you not say you are not?

Mr. BRAND. I do feel I am a good American.

Senator SYMINGTON. You do feel you are a good American?

Mr. BRAND. Yes.

Senator SYMINGTON. Then if you do you would not want to belong to any organization that is committed to destroy the United States by force and violence?

Mr. BRAND. Well, I would like to say again that you are probably very experienced in framing these questions—

Senator SYMINGTON. Mr. Brand, you are looking at the greenest senator that ever hit Washington. I am not even a lawyer. Just from the standpoint of common sense, I am wondering why if you felt you were a good American you would be ashamed to tell the chairman of the committee, why you would be ashamed to say you once had been a Communist.

Let me ask you one more question. Do you think you could be a Communist as of today and still be a good American with the condition of the world as it is?

Mr. BRAND. I think I should refuse to answer that.

Senator SYMINGTON. Thank you, Mr. Chairman.

The CHAIRMAN. I am going back to the other question. The original question was are you a Communist as of today. You refused to answer that on the ground that the answer might tend to incriminate you. In order to determine whether you are entitled to that privilege, I asked you the question whether you felt that a truthful answer to that question of whether or not you are a Communist as of today might tend to incriminate you.

You have been ordered to answer that question. If you refuse, I will ask the committee to hold you in contempt. If you want the advice of counsel, we will give you a recess and let you get counsel, sufficient time to get a lawyer from wherever you want to get him.

Mr. BRAND. You mean I will still be able to come back this afternoon?

The CHAIRMAN. If you can get a lawyer here in town, certainly. We will adjourn and give you time to come back this afternoon.

Mr. BRAND. I don't even know the name of a lawyer, and I hadn't thought it would be necessary. I will take your word for this.

The CHAIRMAN. I may say that if I were your lawyer representing you, I would advise you that you must answer whether you think a truthful answer would tend to incriminate you.

Mr. BRAND. Then I will say yes.  
 The CHAIRMAN. Then you are entitled to privilege.  
 Mr. COHN. You are the author of some books, are you not?  
 Mr. BRAND. Yes.  
 Mr. COHN. Name them.  
 Mr. BRAND. *Outward Room*.<sup>24</sup>  
 Mr. COHN. Written when?  
 Mr. BRAND. Between 1933 and 1936.  
 Mr. COHN. What else?  
 Mr. BRAND. *The Heroes*.<sup>25</sup>  
 Mr. COHN. Written when?  
 Mr. BRAND. Approximately a year later.  
 Mr. COHN. What else?  
 Mr. BRAND. *Albert Sears*.<sup>26</sup>  
 Mr. COHN. Written when?  
 Mr. BRAND. You really mean when published?  
 Mr. COHN. Yes.  
 Mr. BRAND. That was published in 1946.  
 Mr. COHN. What else?  
 Mr. BRAND. That is all.  
 Mr. COHN. Were you a Communist at the time you wrote any of those books?  
 Mr. BRAND. I refuse to answer.  
 Mr. COHN. You refuse as to all three?  
 Mr. BRAND. Yes.  
 Mr. COHN. Were you in consultation with any of the members of the Communist party concerning any of those three books?  
 Mr. BRAND. I refuse to answer on the same grounds.  
 Mr. COHN. Now, Mr. Brand, have you ever written any book reviews?  
 Mr. BRAND. Yes, I have.  
 Mr. COHN. Did you ever write any for the *New York Times*?  
 Mr. BRAND. I don't believe so.  
 Mr. COHN. Did you write one for the *New York Times* which appeared December 22, 1946?  
 Mr. BRAND. I don't recall having written one.  
 Mr. COHN. For what publications have you written book reviews?  
 Mr. BRAND. *Saturday Review of Literature*.  
 Mr. COHN. When you wrote book reviews for the *Saturday Review of Literature*, were you a member of the Communist party?  
 Mr. BRAND. I refuse to answer on the same grounds.  
 Mr. COHN. What else besides *Saturday Review of Literature*?  
 Mr. BRAND. *New Masses*.  
 Mr. COHN. *New Masses*. What else?  
 Mr. BRAND. I don't recall any others.  
 The CHAIRMAN. Mr. Brand, I am not going to try to advise you here, but this committee knows that there has been a period of time during which unless you were either a member of the Communist party or your writings were friendly to it, you had great difficulty getting a favorable review in many of the leading publica-

<sup>24</sup> Millen Brand, *The Outward Room* (New York, Simon and Schuster, 1937).

<sup>25</sup> Millen Brand, *The Heroes* (New York : Simon and Schuster, 1939.)

<sup>26</sup> Millen Brand, *Albert Sears: A Novel* (New York : Simon and Schuster, 1947).

tions whose reviews determine to a great extent how many books would be sold.

I can see how some authors who were in financial straits might have gone through the motions of being friendly to the Communist party in order to get their works sold. You are going on a public hearing tomorrow. This is the first time you have testified. You can do yourself, I think, a great deal of damage or a great deal of good by deciding whether or not you want to come in and very frankly tell the committee whether you were a member of the party, why you became a member, if you are still a member why you remain in it.

I personally have respect for the Communists who have enough guts to stand up and say, "Sure, I am a Communist, and here's why I am a Communist." It is not a criminal offense to be a member of the Communist party unless you are a wilful and knowing member, knowing that its object is to destroy the United States government by force and violence.

So that unless you are part of that conspiracy to overthrow the government by force and violence, a frank and honest answer cannot hurt you. You have to decide what you want to do, but you have a very important decision to make here between now and tomorrow. For your own benefit I think you should think it over carefully.

Do you agree, Senator?

Senator SYMINGTON. I agree, Mr. Chairman. I suggest that the witness see a lawyer and come in tomorrow.

Mr. COHN. Did you ever engage in Communist espionage with a man named Arthur Adams?

Mr. BRAND. I refuse to answer on the grounds of the Fifth Amendment.

Mr. COHN. Let me ask you this—

The CHAIRMAN. You refuse to answer whether you engaged in espionage with Arthur Adams on the ground that if you told the truth that might tend to incriminate you?

Mr. BRAND. I think probably I should see counsel because this is—

The CHAIRMAN. You may.

Mr. BRAND. I hardly know my way around here.

Senator SYMINGTON. Mr. Brand, the way that you are acting makes me feel personally that you are ashamed of being a Communist and that you do not know how to express it because you are afraid it might hurt you. Now if I am wrong in that, you at least are leaving the implication with the committee that you are a Communist.

As the chairman pointed out, it is not illegal and why do you not say so and get it over with so that we can find out the rest of the questions that they want to ask with respect to the inquiry?

Mr. BRAND. You see, I don't agree in not wanting to answer these questions that I am admitting these things that you say seem.

Senator SYMINGTON. Why do you not agree?

Mr. BRAND. It is just a conviction of mine.

Senator SYMINGTON. What is the conviction?

Mr. BRAND. I just expressed them.

Senator SYMINGTON. Say it again.

Mr. BRAND. My conviction is that it doesn't establish the fact that I am guilty of these things because I refuse to answer questions about them.

Senator SYMINGTON. What is the reason that you refuse to answer?

Mr. BRAND. The main thing is that I would like to keep my privilege under the Fifth Amendment.

The CHAIRMAN. He has indicated he wants to see a lawyer and I think he should be allowed to do so.

Mr. COHN. One question, Mr. Chairman. Is your Communist party number 79353?

Mr. BRAND. I refuse to answer on the grounds of the Fifth Amendment.

The CHAIRMAN. You would prefer getting a lawyer?

Mr. BRAND. Yes.

The CHAIRMAN. You may do that, and we will hear you in public session, tomorrow morning at ten o'clock in room 318.

Mr. COHN. What are some of the books that have been published by your firm since you have been with it?

The CHAIRMAN. I think in view of the fact that he has indicated he wants counsel, I do not think he should be asked any more questions.

[Whereupon, at 3:45 p.m., the committee proceeded to other business.]

## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—John L. Donovan (1910–1976) did not testify in public session.]

WEDNESDAY, MAY 6, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 1:45 p.m. in room 428 of the Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Also present: Francis Flanagan, general counsel; Donald Surine, assistant counsel; Howard Rushmore, research director; Robert Morris, counsel, Senate Internal Security Subcommittee.

Senator MCCARTHY. In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DONOVAN. I do.

Senator MCCARTHY. Give your name and address for the record.

Mr. DONOVAN. John L. Donovan, 3439 7th Avenue, Los Angeles, 18, California.

### TESTIMONY OF JOHN L. DONOVAN

Mr. MORRIS. Mr. Donovan, were you born in New York?

Mr. DONOVAN. I was born in Worcester, Massachusetts.

Mr. MORRIS. And in your early days you lived in New York City?

Mr. DONOVAN. I lived in New York City between 1924 and 1925 and between 1928 and 1933.

Mr. MORRIS. Did you go to Columbia University?

Mr. DONOVAN. I attended Columbia University and was graduated from there.

Mr. MORRIS. What degree did you obtain?

Mr. DONOVAN. Bachelor of arts in 1931, master of arts 1932, in June, and I attended for an additional year, until June 1933.

Mr. MORRIS. While you were at Columbia University and while you were in New York, were you a member of the Young Communist League?

Mr. DONOVAN. I was not.

Mr. MORRIS. Were you a member of the Communist party at that time?

Mr. DONOVAN. I was not.

Mr. MORRIS. Did you know James Wechsler in that period of time?

Mr. DONOVAN. I did.

Mr. MORRIS. Did you know him to be a member of the Young Communist League?

Mr. DONOVAN. I did not.

Mr. MORRIS. Did you meet him under any circumstances which would warrant his concluding that you were a member of the Communist party?

Mr. DONOVAN. Not to my recollection, although through close relationships among persons he may have gathered I was a member.

Mr. MORRIS. You did join the Communist party sometime subsequent to your stay in Columbia?

Mr. DONOVAN. That is correct.

Senator MCCARTHY. I think you should tell him that Mr. Wechsler submitted his name as a member of the party.

Mr. MORRIS. That is why I was asking those questions, Mr. Chairman. Now, Mr. Donovan, did you join the Communist party when you were in Washington?

Mr. DONOVAN. I joined the Communist party when I was in Washington, D.C.

Mr. MORRIS. Who induced you to join the Communist party?

Mr. DONOVAN. I went to a person named Eleanor Nelson, who was a member of the government employees' local union in the Department of Labor to ask her advice about certain union problems. I was president of the local union of government employees myself. She asked me why I did not join the Communist party, and I did join.

Mr. MORRIS. Were you assigned to any unit at that time?

Mr. DONOVAN. Not immediately.

Mr. MORRIS. Did you subsequently come to belong to a unit?

Mr. DONOVAN. I did subsequently.

Mr. MORRIS. Will you tell us the circumstances of your being made a part of a particular unit of the Communist party?

Mr. DONOVAN. I joined the Communist party in very late 1935 to the best of my recollection. I was told by Miss Nelson that I would be notified by someone what to do. I was living at that time in a house in Washington with four individuals, one of whom was Victor Perlo, a mathematician I had known at Columbia, and had understood to be a Communist, although without specific legal knowledge, and three individuals whom I understood definitely not to be Communists, and whose names I am putting in the record with the full feeling that they were not then, and to the best of my knowledge have never since been Communists. The names are Sigmund Timberg, Bruno Schachner and Aaron Muravchik. All of these were young attorneys whom I had known at Columbia in the undergraduate school. I had known them as not being Communists.

Mr. MORRIS. You put that in the record, Mr. Donovan—

Mr. DONOVAN. I put it to explain my participation in the Communist party cell because I want it known where I lived and with whom at this particular time.

For some weeks after being told by Miss Nelson that I would be invited to a meeting, nothing happened. One night around April of 1934, I was approached by Victor Perlo in the house where I lived, and told I should attend with him a Communist party meeting. I want to say at this time that I was quite drunk, very drunk, but

nevertheless got up and went with him somewhere and met in a meeting with several people, none of whom—and I regret very sincerely—I remember at the present time, nor have I any recollection of the general business of the meeting, except as it seems to have affected me.

I was then president of a local union of the AFL government employees union, and had been active in taking up problems of overtime and minor grievances of one kind or another, which were blown up in the Washington, D.C., newspapers as major incidents because of newspaper tendencies. There was some discussion at this meeting regarding the possible promotion of individuals present, including me, within government employment. The question as it affected me was that I had been active in the government employees union, and should withdraw as rapidly as possible from that activity and drop out of the union, in order that I might be available for advancement and pushing up the ladder in government employment.

Mr. MORRIS. That is in line with Communist technique?

Mr. DONOVAN. In line with the Communist policy. That is my recollection of the meeting.

I left there and returned to my drinking for the evening. That is all I remember about it, Senator.

Mr. MORRIS. Did you become the head of a unit in the NRA?

Mr. DONOVAN. I subsequently became the head of the unit of Communist party members who were members of the local union, Lodge No. 91 of the American Federation of Government Employees at the NRA.

Mr. MORRIS. And you were the head of the Communist cell in that unit?

Mr. DONOVAN. I was.

Mr. MORRIS. Who were the Communists in that unit?

Mr. DONOVAN. The Communists in the unit originally were Henry Rhine, Jessica Buck, and one minor clerk-typist or file clerk whose name I don't remember. It has not returned to me. That was at the beginning.

At subsequent times, as my employment in the NRA went forward—I am getting ahead of the thing to which I will return in a moment if you please—it is my recollection that Arthur Stein was a member of the union, a girl named Rose Clinton was a member of the union, and there may have been in and out one or two other persons whom I do not recollect, that is, whose names I do not recollect, but I do vaguely remember one or two other persons.

Mr. MORRIS. Did you meet with any other units?

Mr. DONOVAN. I was discharged from the NRA in June of 1934, if I remember correctly on June 18, 1934, by General Hugh Johnson, the administrator of the National Recovery Administration. The discharge was the conclusion of the handling of a minor internal employee grievance concerning a stencil cutter, I believe, in the stenographic pool who had lost her job under what appeared to the local union to be unfair circumstances.

In handling the case, General Johnson stated to me personally that a job would be obtained for the individual in another government agency, and it was my feeling that this would straighten the whole thing out. But after three or four weeks no job had been ob-

tained and nothing seemed to be happening, so I led a committee which waited in General Johnson's anteroom at a time when there was apparently a great deal of tension in the air, of which I was not aware, and I was fired the evening of the same day that that committee went into the office.

It became something of a publicity because during the summer of 1934, terminating on August 10, 1934, in my reinstatement in the NRA after a hearing before the National Labor Relations Board.

Coincidentally with this incident at the conclusion of which I was fired, there was before the NRA a decision on the cotton garment code, in which Sidney Hillman, a member of the NEA Labor Advisory Board was advocating a 10 percent increase in hourly wage rates, and a 10 percent decrease in maximum weekly hours. Assigned to prepare economic material for a brief for Mr. Hillman had been A. G. Silverman, the chief statistician of the NRA, and I gather this from subsequent reports—it is not of my own immediate knowledge—apparently in entering the discussions with the officials of the NRA and representatives of the cotton garment industry, Hillman took the brief before him for the first time, and it proved something entirely different from what he had intended to prove. Rather than proving a case for an increase in wage rates and a decrease in hours, it showed the degree of non-compliance with the then minimum and maximum effected.

Hillman blew his top and talked to Dr. Gustav Peck who was the executive director, I believe, of the NRA. Peck, if I recollect this correctly, was supposed to have taken on Hillman and a Brannigan took place, a very violent argument took place, during the course of which Silverman was either forced to resign or fired.

At any rate, he was off the payroll, which made him off the payroll at approximately the same day or a day or two after I had been discharged by General Johnson.

Within the next seven days Silverman approached me with the proposal that we link his termination and my termination—

Mr. MORRIS. Was Silverman to your knowledge a Communist?

Mr. DONOVAN. He was not at that time to my knowledge a Communist, although shortly thereafter it came to my knowledge that he was. He put some pressure upon me. I argued just as vehemently that we had a union case which had some possibility of successful conclusion, but that there was no possibility were we to join up a controversy between a major figure in the American Federation of Labor, namely, Sidney Hillman, and the chief statistician of the NRA over a question of applicability or competency with what was a straight employee grievance, and a subsequent discharge of a union officer.

I do not know how many days, it might have been a week or two, that this argument between Hillman and a few friends of Hillman in the NRA and me individually took place. Usually these arguments took place at the newspaper club because I was not working, and that is where I spent my days, drinking when I had money.

Within the next ten days or two weeks after my discharge, I was called to a meeting where I met a number of individuals who worked within the NRA, and whom I knew to be employees of the

NRA, but whom I had not known until that time as Communists. I don't know who told me to come to the meeting.

At the meeting as I remember, and I remember pretty accurately on this—to begin the meeting was he lived in the apartment of Bob Coe. I do not know the address or the relative location—present were H. E. Silverman, Bob Coe, Henry Collins, Henry Rhine, myself, and an individual who represented the Communist party from outside. He was obviously the guy in charge. In fact, it was said that he represented Harold Ware, who was out of town doing something. He was known as John Herman. The chap was probably six feet one or six feet one and a half tall, rangy, American type, an educated accent, a moustache on the auburn side, and hair while not balding, not too thick or too clustered hair. I don't remember the color of his eyes.

Mr. MORRIS. Do you know whether that was John Herman's right name or not?

Mr. DONOVAN. I do not, and I assume that was not his correct name. The other things I remember about Herman is that Herman apparently was a writer and the estranged husband or boyfriend of another writer named Tess Schlinger. I do not know how I gather this. This is a definite recollection, however. Probably in the gossip after the meeting was over about who this guy was.

The subject matter of the meeting was to persuade me to link the Silverman termination with the union case of which I was the apex. This I vigorously refused to do, using all of the arguments as to how things are handled practically in unions, and why this should not be done, and would complicate needlessly and get into a long drawn out fight that had nothing to do with the immediate issue.

Herman was something of a theoretician and asked me if I espoused the theory of tailism, which I did not know much about. I did not know whether I did or not, but I knew what I knew.

The meeting wound up without me having agreed or without having any decision to compel me having been set down. But here were a bunch of guys that had not been active in the union, except for Rhine, here were some new people that I had not known as Communists previously who obviously knew nothing about union, and to me they were presuming to tell me how to run my business, and I didn't like it.

Thereafter within a short period of time, possibly a week or so, another meeting was called to which I went, and I don't know where it was. I am not sure whose house it was. I seem to recollect it was Nathaniel Weyl's apartment, but quite possibly it was not. It was a garret apartment, a full top floor. I remember this distinctly because the bed at one side, and a number of chairs scattered around, and scatter rugs on the floor. It was the middle of summer, extremely hot, and the meeting lasted endlessly. In fact, it lasted as I remember until nearly four o'clock in the morning.

At one part as I got tired I lay on the floor and looked up at the ceiling where the peak of the roof came together and I remember the tie strips across there.

Present at the meeting according to my recollection both of whom I am sure were Harold Ware, John Herman, Eleanor Nelson, Henry Rhine, Jessica Buck, Bob Coe, Victor Perlo, H. E. Silverman,

Henry Collins, and although I am not sure of this, I seem to remember Nathaniel Weyl. I could be wrong.

I was drinking in those days and this is nearly twenty years go. I don't want to state positively what I don't recollect positively.

There were two subjects for discussion in the six-hour meeting. One was bringing the Silverman case into a joint issue within the union which I debated with all I knew. The strongest person for joining the case was Bob Coe. Silverman did not take too strong a part. Bob Coe took something with a part. From time to time Herman came in with various arguments which seemed irrelevant and from time to time Ware said we should do it anyhow.

The upshot of it was, however, that the meeting there decided against bringing the Silverman termination into the union fight at that time.

However, there was a second issue on which the argument lasted even longer. A number of the people, prominently Coe and Silverman, insisted that the fight being conducted by the union should be made more militant and that a meeting of the union should be called and a decision of the union made for the union members to go out and picket the Commerce building.

Of course, this appeared to me to be incredible as a position, because win or lose, the case was going along all right, and being conducted as I felt, then—I would have done it differently now—a union case should be handled.

They insisted upon it. I explained at great length here are 125 people out of about 3,000, innocent, honest, hardworking people who probably had been out of jobs for a long time, and they needed jobs. They simply would never be able, even if they got a union meeting vote, to go out and picket, more than themselves and possibly five or six or seven suckers to go out there and picket, and that they would all be canned from the government, and they would look like a bunch of idiots.

This went on, and it would just about be decided, and then it would resume, and the argument would be gone over and over again, until four o'clock in the morning when it was finally decided that I was under instructions and the rest were to help me to persuade the union to take this action.

I walked down the stairs, I remember it very vividly, with Harold Ware up the street toward a traveled thoroughfare to get a taxicab home. On the way walking up the street I said to Ware, "Those guys don't know anything. They don't understand these things. But surely you must understand that they are wrong, that this is wrong, that this is crazy." We didn't agree or disagree.

I left him when I took a cab one way and he stood there waiting for another, and the subject never came up again of the Silverman case, or people coming out to picket on the picket line. It never came up in the union. Moreover, all of these people except Henry Rhine and Jessica Buck dropped out of activity in connection with the Donovan case until the very last day when the hearing was being held in the NRA—or rather before the National Labor Relations Board—at which time I remember Silverman in the audience, and I remember Bob Coe, jumping up at one point and interrupting Dr. Gustav Peck's testimony to contradict him at one point.

That is my last connection within the Communist party, although I continued to work in the NRA, I continued to drink at the newspaper club or at cocktail bars, or around at cocktail parties raising money for this or that, but these people, along with a great many other people in the district—this was my last organizational connection, shall I say, with any of these individuals, except Eleanor Nelson, Henry Rhine and Jessica Buck. The others dropped. As a matter of fact, Senator, they began gradually to walk away and avoid and conspicuously get me out of their hair from this time forward.

Mr. MORRIS. You did not leave the Communist party at that time?

Mr. DONOVAN. I did not.

Mr. MORRIS. You do not know any more secret Communists than you have told us about?

Mr. DONOVAN. I do not know any more secret Communists. I know people whose names have come forward in the various investigations. I have known of reputations, but to know them in terms of having been there and knowing definitely, I don't.

Mr. MORRIS. You stayed on with the Communist party for a while?

Mr. DONOVAN. I stayed on with the AFL unions within which the Communists penetrated in a number of agencies and where they had definite influence in several of the local unions.

Mr. MORRIS. How long did you stay there?

Mr. DONOVAN. I stayed there from the summer of 1934. Incidentally, right after this meeting which I described in the attic apartment, I was invited, I forget by whom, to a meeting of a different kind of cell, namely, a cell within the government employees union, and that process was the rest of my organizational connection in Washington.

Mr. MORRIS. You were invited to this other meeting?

Mr. DONOVAN. I was invited to a different meeting.

Mr. MORRIS. Did you go?

Mr. DONOVAN. I did.

Mr. MORRIS. Who was there?

Mr. DONOVAN. If I remember correctly, and I do remember the individuals I should state correctly, a man named Blumberg from Baltimore, Maryland, who was the key person in charge for the Communist party from the outside. Eleanor Nelson from the Labor Department who was the key person in charge in Washington. There was myself and a gray-haired woman with glasses, rather pretty middle-aged face, on the thin spinsterish side, whose name I do not recollect. She was a member of the National Federation of Federal Employees. I can't for the life of me recollect her name. She was there, and in this particular cell for only a few more meetings, and then dropped out for whatever reason I don't know. I don't know where she went or what she did. She was a government employee and a member of the National Federation of Federal Employees.

Mr. MORRIS. Were you in these other meetings that she attended and then dropped out?

Mr. DONOVAN. Yes, I was at two or three such meetings during the summer.

Mr. MORRIS. Have you ever met Alger Hiss?

Mr. DONOVAN. No.

Mr. MORRIS. Did you ever attend a secret meeting of the Communist party with Alger Hiss?

Mr. DONOVAN. To my knowledge, I never knew him to the best of my knowledge. I recognized his name as a new name in my cognizance.

Senator MCCARTHY. This fellow John Herman, he would not have been Alger Hiss, would he?

Mr. DONOVAN. No. I had seen Hiss's picture repeatedly and he would not have been.

Mr. SURINE. You now recall another person who was at his meeting with Al Blumberg, is that correct?

Mr. DONOVAN. That is correct.

Mr. SURINE. What was her name?

Mr. DONOVAN. That was Al Blumberg's wife, as I understood it, named Dorothy Rose. She was a rather slight, thinly pretty brunette woman with black or very dark brown hair who usually sat in an outer room or on the edge of the meeting, not taking an active part, but apparently waiting for her husband to get through with the meeting.

Mr. SURINE. In connection with all of these meetings which you have described, they were officially called Communist meetings. There was no one there except Communists? That was your understanding?

Mr. DONOVAN. That is correct.

Mr. SURINE. They were actual members of the party?

Mr. DONOVAN. These were official Communist meetings and according to my understanding they were definitely Communist party meetings, and all of the people who were there were to my understanding members of the Communist party.

Mr. SURINE. In connection with Eleanor Nelson, have you had occasion to either follow her career or her activities after you knew her personally in the Communist party movement?

Mr. DONOVAN. I knew that subsequent to my leaving Washington in March or April of 1936, that in 1937 there was established a CIO United Federal Workers Union of which she became the secretary treasurer, and when I returned to Washington looking for a job in the autumn of 1937, I saw Eleanor Nelson several times and spoke to her several times.

Mr. SURINE. At the time when you did see her, were you still a member of the Communist party or considered yourself to be a member?

Mr. DONOVAN. I had stopped paying dues, and I was in bad standing in a fight with various people in the Communist party. She talked to me, but I was not invited to any meetings or to any official gatherings.

Mr. SURINE. Do you know who she later married?

Mr. DONOVAN. No, I do not, sir.

Mr. MORRIS. You know she was married to Paul Porter?

Mr. DONOVAN. I knew she had been married to Paul Porter. I think she had been divorced or estranged before I met her.

Mr. MORRIS. You knew her marriage to Paul Porter was not a happy one?

Mr. DONOVAN. I heard this. I did not know of it to my own knowledge.

Mr. SURINE. While you were active in that period in the Communist party meetings here in Washington, were there any statements made officially at these meetings or by any of the other Communists concerning whether or not they had sources in Washington newspapers?

Mr. DONOVAN. No, I don't recollect any such.

Mr. MORRIS. I would like to have the record show when you broke off with the Communist party. I know it was an indefinite time, but I would like to get your best recollection.

Mr. DONOVAN. My best recollection is in the spring of 1937 or the winter of 1938.

Mr. MORRIS. And you have been organizing against the Communists since that time?

Mr. DONOVAN. I have been organizing against the Communists, although I have been in contact with Communists in Washington, and the South, down until June of 1939, at which time I helped throw all the Communists that I could think up and dream up or suspected out of the Workers Alliance in a local branch of the Workers Alliance in Atlanta, Georgia.

After that in September 1939, I got drunk and went out with Harry Scott, who was the key Communist in Atlanta to his house, and began to upbraid him and beat him up a little bit with my fists. In connection with this he called the police, and I took a duck around the corner while the sirens were there, and when I thought it was time to come out, I came out, but my shirt had been torn in the scuffle and the police picked me up, and I had a half pint of gin in my pocket so they booked me, I think, as drunk and disorderly.

I got a lawyer there, Joe Jacobs, who had me bailed out in the morning. I appeared in the court in the morning, and Scott was there to press charges. I asked for a postponement which I got for three weeks. I went down at the time I was supposed to appear on the instructions of Jacobs, the attorney.

Scott was there apparently to press charges, but on instructions from Jacobs I went over and whispered to the clerk that I would like to have it dismissed and the clerk whispered to the judge on the bench, and the judge, when the case was called on the calendar, said, "Case dismissed," and Scott looked perplexed, and I have not seen him since.

Mr. SURINE. During the period of 1934 to 1937, when you state that you finally broke definitely with the party, did you ever receive any official instructions from a Communist party member, either to take some form of action or to do something?

Mr. DONOVAN. I received official instructions from Eleanor Nelson in connection with a meeting which was held over the case in which I was involved when I was fired. I received instructions to mention the name of a committee they had going, a joint committee for unity of government employee unions. This incidentally was the connection of this gray haired woman with these meetings. I remember now. I received an instruction in the meeting to be sure to give credit to this joint committee in a sort of victory meeting which occurred after I was reinstated.

Apparently I gave credit to the union and to the international union, and E. Claude Babcock, and everybody else, but psychologically I slipped on this joint committee and got hell about it.

At the next meeting, Blumberg said, "What do you mean not carrying out instructions." I can not remember definitely instructions to do this or that.

Mr. SURINE. I was wondering particularly the years 1936 and 1937, whether or not you still were receiving any kind of suggestions or instructions from persons whom you knew to be Communists, and who were passing on to you these suggestions as Communists or these instructions.

Mr. DONOVAN. The last instructions I got from Donald Henderson when I went to Colorado for Henderson.

Mr. SURINE. In what year was that?

Mr. DONOVAN. Henderson made an arrangement with me to go there in the late spring of 1936. I finally got there, driven out there by him, in early August 1936. I had three instructions; one, to build a confederation of agricultural workers, AFL federal unions, in the mountain states.

Mr. SURINE. Is that what they call the Yucca Pow Wow?

Mr. DONOVAN. No, this was the conference of the AFL agricultural workers set up as a semi-voluntary organization under the Colorado State Federation of Labor and a general authorization for establishing such things.

The second instruction was to get out a newspaper in Spanish for these agricultural workers unions and to set up a format similar to Henderson's organizer paper.

The third instruction I got from Henderson was to keep away from the Allender family who were the titular heads of the official open Communist party in Denver.

Mr. SURINE. Did you follow those instructions?

Mr. DONOVAN. I followed along with the state federation in setting up the confederation of AFL unions. I got out three or five issues of the paper. It was quite a job. I had two years of Spanish about eighteen years before in high school, so what I did mainly was to take up the paper and it would take eight or nine days to get out four pages with my knowledge of Spanish. I did largely keep away from Allender. Occasionally he would pop over with "Let's do this."

The last thing that he came over specifically for was to get delegates elected to the AFL convention in the fall of 1936. After that I was a maverick, apparently an uncontrollable item and apparently they didn't care too much about it. I was largely in disagreement.

I met my present wife in Colorado, and she was an organizer for the Denver Trades and Labor Assembly, and we made common cause, and see to it that the Communist party program did not go forward.

Mr. SURINE. While you were in Denver and in occasional contact with Allender and these others, were you in contact with other Communists out there whom you now can identify as being Communists?

Mr. DONOVAN. I remember the Allender family as being a Communist family there. Probably all of the members were not. But one

of them, Bill, went to Spain. A second one was one of the key officers of the Workers Alliance. A third was a young kid who ran errands for his brother, who was a district organizer of the Communist party. I don't know about all the rest of them. I cannot identify any of these people in terms of having been in official Communist party meetings with the exception of Allender, who acted officially as the district organizer.

Mr. MORRIS. You say you have never attended a meeting with Alger Hiss?

Mr. DONOVAN. That is correct.

Mr. MORRIS. Have you ever attended a Communist meeting with Lee Pressman?

Mr. DONOVAN. I never have attended a Communist party meeting with Lee Pressman.

Mr. MORRIS. With Nathan Witt?

Mr. DONOVAN. I never have attended a Communist party meeting with Nathan Witt.

Mr. Morris, With Nathaniel Weyl?

Mr. DONOVAN. I seem to remember having attended Communist meetings with Nathaniel Weyl, namely, this meeting in the loft. But other than that I do not recollect.

Mr. MORRIS. You knew he was a Communist?

Mr. DONOVAN. Yes, I knew he was a Communist.

Mr. MORRIS. And you met him from time to time?

Mr. DONOVAN. I met him while he was at Columbia in the spring of 1933, and he made no bones about being a Communist. In fact, I met Eleanor Nelson through Nathaniel Weyl.

Mr. MORRIS. How many occasions altogether did you meet Nathaniel Weyl in Washington?

Mr. DONOVAN. Probably fifty occasions at bars or in the newspaper club, or around.

Mr. MORRIS. But you have only one recollection at a Communist party meeting?

Mr. DONOVAN. Where I seem to remember he was there.

Mr. MORRIS. Mr. Donovan, have you made disclosures to the Federal Bureau of Investigation of all the facts you are putting in our record?

Mr. DONOVAN. I have to the best of my recollection. I wish to say, however, for the record that I was interviewed by the FBI on three or four occasions in Los Angeles, and at that time I lied to the FBI about my Communist party membership and about certain relationships with individuals. I regret the lie. I am very sorry for it. I want to state for the record that my reasons for lying were that I hesitated to embarrass the persons and organizations with whom I am now associated on the West Coast, including certain conservative branches of the American Federation of Labor, the one union by which I am employed. I hesitated to embarrass my wife and other friends. Most particularly I hesitated to embarrass my brother, who is a rather conservative member of Congress. Other than that, I had certain resistance. My father was in the labor movement. I have been in the labor movement off and on a long time, and I had an emotional resistance against bearing tales. I am, however, glad that I am finally getting this lie off my shoulders.

Mr. RUSHMORE. You say, Mr. Donovan, that you have been active in fighting Communists in the AFL in Los Angeles. Would this statement of yours be supported by such well known opponents of communism as Roy Brewer, Howard Costigan and others?

Mr. DONOVAN. I think this statement would be supported by virtually every important leader of the American Federation of Labor in Los Angeles. I can not know about all. I believe Costigan would support this statement. I think and hope that Roy Brewer would support this statement. Among others there were letters on record from Abe Muir, who was general executive board member of the Carpenters Brotherhood in California about work which I did in switching plants from the Communist dominated Furniture Workers Union over to the Carpenters. There are other items of record of this sort, and records which I can obtain from 1937 forward. That is within the labor movement.

In the general community I am sure that any number of substantial and respectable government employees and people in political life, including U.S. judges, and people from both the Democratic and Republican parties would testify to my reputation as being a person opposed to communism.

The same thing is true of substantial and reputable anti-Communist religious leaders in the community. There are undoubtedly, however, individuals who may feel because of suspicions tracing from my past membership in the Communist party, who may feel I may still have some Communist in me.

[Thereupon at 3:20 p.m., the subcommittee recessed subject to call.]

## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—In October, 1948, James Aronson (1915–1988) and Cedric Belfrage (1904–1990) launched the *National Guardian*, a weekly paper that Aronson described as “non-Communist leftist.” Earlier testimony by Elizabeth Bentley, confirmed by the Venona intercepts, had revealed that Belfrage made contact with Soviet espionage agents during World War II. In 1947 the FBI questioned Belfrage, who admitted to having provided confidential information to the Soviets but denied that he had been a Communist.

When Aronson and Belfrage were subpoenaed to testify before the subcommittee in 1953, the *National Guardian* declared it “a move to persecute and if possible intimidate the editors of an independent news-weekly, which has opposed the policies of war, repression and plunder of the Eisenhower Administration and the previous bi-partisan administration of President Truman.” In his book, *The Press and the Cold War* (Boston: Beacon Press, 1970), Aronson wrote that “we were not Communists, but . . . we felt it was our right—our duty—to remain silent before a committee of Congress which we felt had no authority to inquire into our beliefs and associations.” He described the *National Guardian* as “an independent and independently-owned newsweekly which took strong issue with basic governmental policy, foreign and domestic,” and he denied that it adhered to an “international Communist conspiracy.” Aronson and Belfrage explained that they invoked their Fifth rather than First Amendment rights at the advice of their attorney. “Our lawyer had reasoned in a four-hour argument that if we invoked the First we would almost surely be cited for contempt, be convicted, and, in the existing climate, go to prison. He said the *National Guardian* would suffer and perhaps even be forced to suspend publication if its two chief editors were jailed.”

Following their testimony at a public hearings on May 14, 1953, Cedric Belfrage was arrested on a deportation warrant and held on Ellis Island until he was released on bond on June 10. He was ordered deported on December 9, 1954. After losing his appeal, he was again arrested in May 1955 and deported to Great Britain in August 1955. After Belfrage's deportation, James Aronson continued to publish the *National Guardian* until 1967, when he resigned in a policy dispute with “New Left” members of the staff. They changed the paper's name to the *Guardian*.]

WEDNESDAY, MAY 13, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
Washington, DC.

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:25 p.m. in room 457 of the Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Also present: Roy Cohn, chief counsel; Howard Rushmore, research director; Ruth Young Watt, chief clerk.

The CHAIRMAN. The committee will come to order.

Mr. Counsel, who is your first witness?

Mr. COHN. First, Mr. Chairman, we can have Mr. James Aronson.

The CHAIRMAN. In view of the fact that it is an executive session, we will ask everyone except the witness and his counsel to leave the room.

May I say, sir, I am sorry we do not have a room for you to wait in, but there is a great shortage of rooms, so we will just have to ask you to wait outside.

Would you stand and raise your right hand, Mr. Aronson?

In this matter now in hearing, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ARONSON. I do.

Mr. COHN. May we get counsel's name for the record, please?

Mr. DAMBROFF. Yes, Nathan Dambroff, D-a-m-b-r-o-f-f.

The CHAIRMAN. Will you have the record show that the committee has received unanimous consent of the Senate to sit today for this hearing.

Mr. COHN. Mr. Aronson, were you ever with the United States government in Germany?

**TESTIMONY OF JAMES ARONSON (ACCOMPANIED BY HIS  
COUNSEL, NATHAN DAMBROFF)**

Mr. ARONSON. Yes, sir, I was.

Mr. COHN. And from what year to what year?

The CHAIRMAN. May I interrupt, before you start?

I did not read it myself, but one of the senators said that either you or the other witness or both of you objected to being called on such short notice.

If you find that you are asked a question which requires more time for an adequate answer, we will give you whatever time you need to prepare your answer.

Mr. ARONSON. Thank you.

Mr. DAMBROFF. Fair enough.

The CHAIRMAN. And I think this is your first appearance here. We have the rule that your witness can consult with you at any time he cares to, at any time during the questioning. If you want to have a private conference with him, while we do not have another room, this is a large room, and you may have complete security and secrecy. You can go back to a corner of the room and discuss the matter at any time.

We do not, however, allow counsel to have any part in the proceedings except to advise his client.

Mr. DAMBROFF. Can I refer any questions to you myself?

The CHAIRMAN. Any questions you want to have asked, either Mr. Cohn or myself will be glad to ask them for you.

Mr. DAMBROFF. Or can I raise a point with you directly?

The CHAIRMAN. Well, we have not allowed that in the past. In other words, objections—

Mr. DAMBROFF. No, not objections, really, but an explanation which might be helpful.

The CHAIRMAN. I would suggest that we do this. It would be better, if you want to raise a point, to discuss it with your client, and let him raise it.

Mr. DAMBROFF. I will just refer it to you, for you to rule on it.

The CHAIRMAN. We do not have any great formality. We try to accommodate the witnesses as well as we can, and the attorneys.

Mr. COHN. Mr. Aronson, I didn't get those years.

Mr. ARONSON. You asked when I was in Germany for the government. I was in Germany, I would say, from the end of July 1945 until about the middle of March 1946.

Mr. COHN. Now, was that your first government service?

Mr. ARONSON. Yes.

Mr. COHN. And by whom were you employed? The military government?

Mr. ARONSON. I was employed by the Office of War Information.

Mr. COHN. By OWI?

Mr. ARONSON. Yes. And I think you know the procedure. When you go overseas, you go under army supervision and discipline.

Mr. COHN. Right.

Mr. ARONSON. And I believe in Germany we were employed by the War Department. I think so.

Mr. COHN. I see. But your hiring was by OWI, and then, since things were under military control, you were subject to their rules and regulations?

Mr. ARONSON. That is right.

Mr. COHN. Now, did you leave government service in the middle of 1946, after you left Germany?

Mr. ARONSON. Yes, shortly after my return.

Mr. COHN. While you were in Germany, from July 1945 until about the middle of 1946, exactly what position did you hold in OWI?

Mr. ARONSON. My title was press control officer.

Mr. COHN. Press control officer?

Mr. ARONSON. Yes.

Mr. COHN. Now, in that capacity, did you have anything to do with the licensing of newspapers in Germany?

Mr. ARONSON. Yes. I had no direct work in the licensing, but I was in a position where I made certain recommendations in regard to licensing.

Mr. COHN. To whom did you make those recommendations?

Mr. ARONSON. To my superior.

Mr. COHN. Who was that?

Mr. ARONSON. At that time it was Luther Conant.

Mr. COHN. Luther Conant?

Mr. ARONSON. C-o-n-a-n-t.

Mr. COHN. That is not Dr. Conant?

Mr. ARONSON. No, that is not Dr. Conant.

Mr. COHN. Any relation?

Mr. ARONSON. I don't know.

Mr. COHN. And you would make recommendations concerning the licensing of newspapers. Is that right?

Mr. ARONSON. Well, at that point, several newspapers had been licensed, you see, and I was sent out on field trips to give reports on prospective licensees or people who had been selected as licensees, to give a report back to my immediate superior.

Mr. COHN. All right. In other words, you were the press control officer, and OWI, military government, was then in the process of deciding which people were suitable to receive licenses to go into the newspaper business?

Mr. ARONSON. That is correct.

Mr. COHN. And that was your job.

Mr. ARONSON. Yes.

Mr. COHN. Now, let me ask you this. During that time were you a member of the Communist party?

Mr. ARONSON. I must refuse to answer that question, on the grounds of the Fifth Amendment.

The CHAIRMAN. You are entitled to refuse.

Mr. COHN. Are you now a member of the Communist party?

Mr. ARONSON. I must refuse to answer that on the same grounds.

Mr. COHN. I see. While you were in Germany as press control officer, were you in contact with any members of the Communist party?

Mr. ARONSON. I don't quite understand that question. Do you mean members of the American Communist party, or the German Communist party?

Mr. COHN. Well, I mean members of the Communist party be it American or German.

I will withdraw that question and put it this way: Were you in contact with any Communists while you were in Germany at this period of time?

Mr. ARONSON. May I consult counsel on that?

The CHAIRMAN. Surely. At any time, feel perfectly free to consult. [Mr. Aronson confers with his counsel.]

Mr. ARONSON. Well, to the best of my recollection, I had no contact with American Communists or with German Communists, except that in an official capacity, for example when I visited newspapers which had been licensed which had German Communists as members of the license board, or perhaps—and this is something which is conjecture—whether applicants for licenses for German newspapers were Communist and I came into contact with them in an official capacity.

Mr. COHN. Do you know of any of them that were Communists or that you believed to be Communists?

Mr. ARONSON. Yes, there were a few who had already been licensed in the German press. I think I can give you the names of two on the *Frankfurter Rundschau*.

Mr. COHN. Would you do that?

Mr. ARONSON. There was Arno Rudert, A-r-n-o R-u-d-e-r-t, and Emil Carlebach, E-m-i-l C-a-r-l-e-b-a-c-h.

Now these people had been selected along with, I believe, two Social Democrats and a Catholic Centrist, and a non-party person, as the license board of the *Frankfurter Rundschau*.

Mr. COHN. Are those two still there, do you know?

Mr. ARONSON. I believe Rudert is still there as one of the co-publishers of the paper.

Mr. COHN. And he is a Communist?

Mr. ARONSON. He was at the time.

Mr. COHN. He was a Communist at the time.

Mr. ARONSON. He was known as a Communist at the time.

The CHAIRMAN. I missed something that you said there, Mr. Aronson. You said that two Communists and two Social Democrats, and a Catholic Rightist, I believe—

Mr. ARONSON. Catholic Centrist. I think the Center party was the Catholic party.

The CHAIRMAN. They were selected for what task, did you say?  
 Mr. ARONSON. As a board of licensees. In other words, they were the people who were granted permission to publish a newspaper in the German language, under a license issued by American military government.

The CHAIRMAN. I see. Who is in charge of the American military government there? I should know.

Mr. ARONSON. Well, the information control chief was Brigadier General Robert A. McClure.

Mr. COHN. Who was the high commissioner, then? Do you know?

Mr. ARONSON. Well, there was General Eisenhower, to begin, and then General Clay. I believe he was the successor.

The CHAIRMAN. Were you there when McCloy was high commissioner?

Mr. ARONSON. I don't believe so.

The CHAIRMAN. We can check those dates.

Mr. ARONSON. I believe he became high commissioner after I was returned to this country.

Now, there was one other known Communist who was a member of the license board of the newspaper in Heidelberg. That was the *Rhein-Neckar-Zeitung*, R-h-e-i-n N-e-c-k-a-r Z-e-i-t-u-n-g. His name was Agricola, A-g-r-i-c-o-l-a. And the other two members of that board were the man who is now the president of the German Republic, Theodore Heuss, H-e-u-s-s, and the third person was, I believe, a member of the Social Democratic party.

Mr. COHN. Now, with the licensing of how many newspapers were you connected, Mr. Aronson? With the licensing of about how many newspapers?

Mr. DAMBROFF. Excuse me one moment, please.

[Mr. Dambroff confers with Mr. Aronson.]

Mr. ARONSON. I should make it clear that I had nothing to do with the licensing of the boards of either of these two newspapers, and directly I had nothing to do actually with the licensing of any newspapers in a capacity where I had any decision.

Senator SYMINGTON [presiding]. Counsel, will you continue?

Mr. COHN. Now, what we would be interested in is this: How did you happen to get with OWI, Mr. Aronson? Did you apply, did they ask you to come, or what?

Mr. ARONSON. Well, I believe it happened this way. There was an acquaintance of mine named Bennett Ellington, who, I believe, had served—I am not sure, but I think—with the Office of Strategic Services, who had been in Italy and had come back. He called me up, and we had lunch together and he asked what I was doing, and I told him. And he asked whether I would be interested in going to Germany. He said they were looking for people who had a reasonable command of the German language, and who were working newspaper men. I said I would.

Mr. COHN. Excuse me. What newspaper were you with at that time?

Mr. ARONSON. At that time I was with the *New York Post*.

Mr. COHN. Were you a member of the Communist party then?

Mr. ARONSON. I must decline to answer that question on the grounds of the Fifth Amendment.

Senator SYMINGTON. You were with the *Post* from when to when?

Mr. ARONSON. From 1940 to 1946.

Mr. COHN. Go ahead. I interrupted you.

Mr. ARONSON. And I applied for the position. I believe the man whom I applied to was Mr. James Clark. And I was hired. I went through a preliminary training course in New York.

Mr. COHN. Was there any security check on you, do you know?

Mr. ARONSON. I believe there was. I received a security card.

Mr. COHN. At the time you received your security card, were you a member of the Communist party?

Mr. ARONSON. I must decline to answer that question also, on grounds of strong principle, under the——

Mr. COHN. On the grounds of what?

Mr. ARONSON. Strong principle, under the grounds of the Fifth Amendment.

Mr. COHN. I don't know about the strong principle.

Senator SYMINGTON. In other words, if you did not have strong principle, you would admit you were a Communist? Is that right?

Mr. ARONSON. I must refuse to answer that question also Senator, on the same grounds.

Senator SYMINGTON. Could I ask one more, Roy?

If you did not have strong principles, you would say you were not a member of the Communist party? That is the way I would prefer to put the question.

Mr. ARONSON. I must give the same answer.

Senator SYMINGTON. Thank you.

Mr. COHN. Now, you say you took a training course in OWI? Is that right? And when did you go with OWI, exactly?

Mr. ARONSON. I believe it was late spring of that same year, 1945.

Mr. COHN. Late spring of '45. After you finished your training course, you went over to Germany. Is that right?

Mr. ARONSON. To England, for two weeks. I waited for orders from Germany, and went into Germany.

Mr. COHN. I don't think you told us with the licensing of how many papers you were connected when you were in Germany.

Mr. ARONSON. Well, I wasn't actively connected with the licensing of any newspapers. My function was more that of survey and report officer. I was attached to headquarters.

Mr. COHN. On how many newspapers did you make reports as to whether or not they should be licensed?

Mr. ARONSON. I would say about four.

Mr. COHN. About four newspapers. Were any of those four licensed?

Mr. ARONSON. Yes.

Mr. COHN. Were all of them licensed?

Mr. ARONSON. Yes.

Mr. COHN. What are the names of those newspapers?

Mr. ARONSON. Well, there was the *Rhein-Neckar-Zeitung*, which I have given you.

Mr. COHN. Yes?

Mr. ARONSON. The *Wiesbadener Kurier*, W-i-e-s-b-a-d-e-n-e-r K-u-r-i-e-r.

Mr. COHN. Yes, sir?

Mr. ARONSON. The *Tagges Spiegel*, T-a-g-g-e-s S-p-i-e-g-e-r. And let me see, Oh, yes. The *Hessische Nachrichten*, H-e-s-s-i-s-c-h-e N-a-c-h-r-i-c-h-t-e-n, in the city of Kassel.

Mr. COHN. Very good. Now, are all four of those papers still being printed? Do you know that, just for our information?

Mr. ARONSON. I could not say.

Mr. COHN. How about the *Tagges Spiegel*? Is that being printed, do you know, in the western sector of Berlin, or in the eastern sector?

Mr. ARONSON. To the best of my knowledge, it is.

Mr. COHN. In which sector?

Mr. ARONSON. In the western zone, western Berlin.

Mr. COHN. Were there any Communists connected with any of these four newspapers?

Mr. ARONSON. There was, as I told you, one Communist connected with the—

Mr. COHN. That is Agricola?

Mr. ARONSON. That is it—with the Heidelberg paper.

Mr. COHN. That is the *Rhein-Neckar-Zeitung*?

Mr. ARONSON. Yes. I think there was one connected with the *Hessische Nachrichten*. I think that is all.

Senator SYMINGTON. How did you know that he was a Communist? Did you hire him as a Communist?

Mr. ARONSON. I didn't hire them, Senator. But the way people were given licenses was whether they fell within the directives which were given us by General Eisenhower at the time, that is, over his signature and his orders.

Mr. COHN. Well, who was in actual charge of the program?

Mr. ARONSON. General McClure.

Mr. COHN. General Robert McClure; is that right?

Mr. ARONSON. Yes. And the condition was that applicants for license must have had a record of anti-Nazi activities, must have had no connection with the Nazi press, and must have had a record of no political activity, I believe.

Mr. COHN. What if they were Communists?

Mr. ARONSON. There was nothing in the directives that prevented Communists from being licensed.

Mr. COHN. Did you think it was a good policy to license a Communist?

Mr. ARONSON. We were following the directives.

Mr. COHN. You say the directive left it open. Right?

Mr. ARONSON. I beg your pardon?

Mr. COHN. You say the directive left it open. It did not have any restriction.

Mr. ARONSON. That is right. There was no restriction in the directives. And the purpose was a rather new experiment in German newspapers, which was to license supra-party papers. Up to that point, the German press was a party press, and the directives and the purpose of the plan was to engage people of several political parties to form a board of licensees.

Mr. COHN. In certain cases, you thought it was all right to have Communists among them. Right?

Mr. ARONSON. I would like to consult counsel before I answer.

Mr. COHN. Surely.

[Mr. Aronson confers with his counsel.]

Mr. ARONSON. I would like to answer that question. Are you ready?

Senator SYMINGTON. Yes. Go ahead.

Mr. ARONSON. I would like to answer it this way, that my personal opinion did not enter into the question. I had no part in policy-making nor in the formation of the directives, and my job was to follow out the directives. There was nothing in the directives which—well, I would say I was following out the directives, and let it go at that.

Mr. COHN. You say the directive left the question of communism open. In other words, there was no restriction, as there was in the case of Nazi background?

Mr. ARONSON. There was simply no question about it at the time.

Mr. COHN. All right. It didn't arise. The directive didn't say, "Go ahead and license Communists," and it didn't say, "Don't license Communists." In other words, it was a matter of discretion. There was no restriction against it and there was no direction to do it. You were one of the people doing this. You didn't have the final say. I want to know what your opinion was.

Mr. ARONSON. I had no part in the licensing.

Mr. COHN. You made recommendations, didn't you? You went out and made surveys and checks, the way I might go out and make an investigation and come back and make a report? And certainly you had some part in it. You didn't have the final say, but you had a part in it. I think that is a fair statement. You made surveys on these four newspapers, and you made recommendations. You had a part in it. I want to know what your thinking was at that time.

Mr. ARONSON. I must decline to answer that question, on the grounds of the Fifth Amendment.

Mr. COHN. That is your privilege.

Senator SYMINGTON. Could I just interrupt? I would like to ask you a couple of questions, if I may.

Do you think you are a good American?

Mr. ARONSON. I do, sir.

Senator SYMINGTON. Well, if you were a good American, you would not be a member of any organization which was committed to the overthrow of the United States form of government by force and violence, would you?

Mr. ARONSON. No, sir, I would not.

Senator SYMINGTON. In other words, if you had been a member of the Communist party—this is not a question but a statement—as I see it, if you had been a member of the Communist party, which many other Americans have been, and have seen the wrong, and then have left it, you could still be a good American. But based on what is going on to the world today, it is my thought that you could not be a good American and at the same time still be a member of the Communist party.

I respect people who have had the courage to come here, or at any time in their life left the Communist party because they felt it was wrong.

But why, if you are a good American, you should be afraid to say that you had once been a member of the Communist party I do not understand.

Mr. ARONSON. I must refuse to answer that question, Senator, on the grounds of the Fifth Amendment.

Senator SYMINGTON. Well, to me that simply means that you are still a member of the Communist party. Is that correct?

Mr. ARONSON. I must also refuse to answer that question sir.

Mr. COHN. Now, Mr. Aronson, did you make a speech at a Communist rally recently on the question of your part in licensing newspapers in Germany?

Mr. ARONSON. I must refuse to answer that question, on the grounds of the Fifth Amendment.

Mr. COHN. Did you read an account in the *Daily Worker* of such a speech, from the last few weeks?

Mr. ARONSON. I must refuse to answer that question also.

Mr. COHN. Did you in that speech brag about the fact that you had placed these newspapers in what you called democratic hands, and that this committee and the State Department is now trying to make the reactionary?

Mr. ARONSON. I must refuse to answer that question, on the grounds of the Fifth Amendment.

Mr. COHN. Now, did you know a man by the name of Cedric Belfrage in Germany?

Mr. ARONSON. Yes, I did.

Mr. COHN. Was he a Communist?

Mr. ARONSON. I must refuse to answer that question, on the grounds of the Fifth Amendment.

Mr. COHN. Did you ever have access to any classified information of any kind?

Mr. ARONSON. May I consult counsel on that?

Mr. COHN. Certainly.

[Mr. Aronson confers with his counsel.]

Mr. ARONSON. I believe I did, as part of my job.

Mr. COHN. What was my last question?

Mr. ARONSON. Your question was: did I have access to classified information.

Mr. COHN. I am sorry. You did have access to classified information?

Mr. ARONSON. As part of my job, yes.

Mr. COHN. Did you ever communicate that classified information to any unauthorized person?

Mr. ARONSON. To the best of my knowledge, I did not.

Mr. COHN. What was Belfrage's job in Germany?

Mr. ARONSON. He was also a press control officer.

Mr. COHN. He was a press control officer. Right?

Mr. ARONSON. Yes.

Mr. COHN. Did he hold equal rank with you?

Mr. ARONSON. I don't know.

Mr. COHN. Now, how many press control officers were there?

Mr. ARONSON. That I don't know, either. There were several.

Mr. COHN. Several. Three, or four, or four or five?

Mr. ARONSON. More than that. There must have been fifteen or twenty.

Mr. COHN. Fifteen or twenty. He was one.

Mr. ARONSON. Yes.

Mr. COHN. What was your salary at this time?

Mr. ARONSON. I really don't recall.

Mr. COHN. Give us an approximation as best you can.

Mr. ARONSON. I would say something like \$5,000 a year, or \$4400 to \$5100.

Mr. COHN. Did you ever have any discussions with Mr. Belfrage? Did you have contact with him in Germany?

Mr. ARONSON. I had contact with him, yes.

Mr. COHN. Did you and he ever discuss the fact that you would try to get some of these newspapers in the hands of Communists, you and Belfrage?

Mr. ARONSON. I would like to consult counsel on that.

[Mr. Aronson confers with his counsel.]

Mr. ARONSON. The answer is no.

Mr. COHN. You did not?

Mr. ARONSON. We did not.

Mr. COHN. Did you discuss communism with him at all?

Mr. ARONSON. I discussed my work with him.

Mr. COHN. The question was: Did you discuss communism?

Mr. ARONSON. I refuse to answer that question, on the grounds of the Fifth Amendment.

Mr. COHN. You say you did discuss your work with him?

Mr. ARONSON. Yes, I did.

Mr. COHN. And you refuse to answer whether or not you discussed communism with him. Did he know you were a Communist?

Mr. ARONSON. I must refuse to answer that question on the grounds of the Fifth Amendment.

Mr. COHN. Under what circumstances did you leave OWI?

Mr. ARONSON. Resignation.

Mr. COHN. Was it a requested resignation?

Mr. ARONSON. It was not.

Mr. COHN. You just decided to——

Mr. ARONSON. To go back to my newspaper career.

Mr. COHN. Did you know a man by the name of Russell Nixon in Germany?

Mr. ARONSON. I did not know him in Germany.

Mr. COHN. Did you know him any place?

Mr. ARONSON. I would like to consult counsel.

[Mr. Aronson confers with his counsel.]

Mr. ARONSON. I have met Mr. Nixon since Germany, and I know him as an official of the United Electrical Workers.

Mr. COHN. Do you know what position Mr. Nixon held in Germany?

Mr. ARONSON. No, I do not.

Mr. COHN. You know he was there, do you not?

Mr. ARONSON. I believe I know he was there, yes.

Mr. COHN. Can you give us any idea of what he did there?

Mr. ARONSON. No, I cannot.

Mr. COHN. You have no idea about that. Is Mr. Nixon a member of the Communist party?

Mr. ARONSON. I have no information on that.

Mr. COHN. Your answer is that you don't know?

Mr. ARONSON. I say I have no information on it.

Mr. COHN. Well, do you know whether or not he is?

Mr. ARONSON. I certainly have no way of knowing.

Mr. COHN. Well, I don't know whether you have no way of knowing. If you were a member, and he was a member, maybe you went to meetings together. The question is: Do you know whether or not he is a member of the party?

Mr. ARONSON. I do not know.

Mr. COHN. Have you ever discussed communism with Mr. Nixon?

Mr. ARONSON. I have not.

Mr. COHN. Have you ever discussed the Communist party with him?

Mr. ARONSON. I have not.

Mr. COHN. Do you know James Matles?

Mr. ARONSON. I may have met him once.

Mr. COHN. Do you know Julius Emspak?

Mr. ARONSON. I may also have met him once, perhaps just to shake hands, and that is all.

Mr. COHN. Did you know Owen Lattimore in OWI or any place else?

Mr. ARONSON. I don't know Owen Lattimore.

Mr. COHN. You say you voluntarily resigned from the department, or OWI. That was part of the State Department?

Mr. ARONSON. I believe it became State Department, yes.

Mr. COHN. And you submitted your resignation to the department in the middle of '46. What did you do after that?

Mr. ARONSON. I went back to work for the *New York Post*.

Mr. COHN. Oh, you went back to work for the *New York Post*.

Mr. ARONSON. I was on leave of absence.

Mr. COHN. Who was editor of the *New York Post* when you went back there? Do you know?

Mr. ARONSON. Ted O. Thackery.

Mr. COHN. When did Mr. Thackery leave?

Mr. ARONSON. Well, I left the *Post* before Mr. Thackery did.

Mr. COHN. Oh, you left before he did. Now, when you went back to the *New York Post*, were you a member of the Communist party?

Mr. ARONSON. I must decline to answer that question on the grounds of the Fifth Amendment.

Mr. COHN. I see. Now, you left the *New York Post* when?

Mr. ARONSON. In the fall of 1946.

Mr. COHN. And where did you go then?

Mr. ARONSON. To the *New York Times*.

Senator SYMINGTON. I wish you would tell these people on this committee whether or not you are a Communist now. I do not see why you will not, if you think you are a good American.

Mr. ARONSON. Is that in the form of a question, Senator?

Senator SYMINGTON. No. I am just giving you my opinion. I would not think that anybody who felt he was a good American, based on things that are going on in the world, would want to come down here and say that he would not be glad to say he was not a member of the Communist party.

Mr. ARONSON. I respect your opinion, Senator.

Mr. COHN. Now, you say you went to the *New York Times* in what year?

Mr. ARONSON. In the fall of 1946.

Mr. COHN. When you were with the *New York Times*, were you a member of the Communist party?

Mr. ARONSON. I must decline to answer that question on the same grounds.

Mr. COHN. For how long were you with the *New York Times*?

Mr. ARONSON. I was with the *New York Times* from 1946, the fall of '46, until the spring of 1948.

Mr. COHN. What did you do with the *New York Times*?

Mr. ARONSON. I wrote for the News of the Week in Review on the *Sunday Times*.

Mr. COHN. And during that period from '46 to '48, when you were with the News of the Week in Review, were you a member of the Communist party?

Mr. ARONSON. I must decline to answer that question also on the same grounds.

The CHAIRMAN. May I ask you this question also. I assume you will refuse to answer. You have a right to.

At the time you were writing for various papers, were you under orders of the Communist party as to how you should slant your writings?

Mr. ARONSON. The answer to that question is no.

The CHAIRMAN. Did you ever get any instructions from the Communist party as to your writings?

Mr. ARONSON. The answer to that question is also no.

The CHAIRMAN. Were there ever any suggestions as to how you should treat the news in regard to certain matters, certain individuals, with any members of the Communist party?

Mr. ARONSON. The answer to that question is also no.

Mr. COHN. Did you ever discuss your work with any member of the Communist party when you were with the *Post* or *Times*?

The CHAIRMAN. Your writings?

Mr. ARONSON. I must decline to answer that question on the grounds of the Fifth Amendment.

Mr. COHN. I did not get the answer to the last question.

Did you discuss your writings with any member of the Communist party when you were with the *New York Times*?

Mr. ARONSON. I must decline to answer that question, on the grounds of the Fifth Amendment.

Mr. COHN. Did you discuss it with any member of the Communist party when you were with the *New York Post*?

Mr. ARONSON. I must decline to answer, on the same grounds.

The CHAIRMAN. When you were writing for any newspapers, did any member of the Communist party ever advise with you or discuss your writings, how you should write, how you should treat the news, certain people or subjects?

[Mr. Aronson confers with his counsel.]

Mr. ARONSON. I must decline to answer that question, on the grounds of the Fifth Amendment.

The CHAIRMAN. Do you know any men who are now Communists who are in any news media, that is, newspapers, radio, television?

Mr. ARONSON. I must decline to answer that question, Senator.

The CHAIRMAN. Do you know any Communists who are now working on either of those two papers you are working for, the *Post* or the *Times*?

Mr. ARONSON. I must decline to answer that, on the same grounds.

The CHAIRMAN. And I assume if I asked you about the papers individually, your answer would be the same?

Mr. ARONSON. Yes, it would be.

Mr. COHN. Where did you go after you left the *Times* in '48?

[Mr. Aronson confers with his counsel.]

Mr. ARONSON. Well, I continued to be a newspaper man, but I must decline to answer that question on the grounds of the Fifth Amendment.

Mr. COHN. In other words, you continued to be a newspaper man, but you won't tell us with what publication you were connected, exercising your Fifth Amendment privilege?

Mr. ARONSON. That is correct.

Mr. COHN. Were you connected with the *Daily Worker*?

Mr. ARONSON. I was not.

Mr. COHN. Have you ever been connected with the *National Guardian*?

Mr. ARONSON. I must decline to answer that question, on the grounds of the Fifth Amendment.

Mr. COHN. Are you today connected with the *National Guardian*?

Mr. ARONSON. I must decline to answer that question, also on the same grounds.

Mr. COHN. And you won't tell us whether or not you are a member of the Communist party today?

Mr. ARONSON. I decline to answer that question also.

The CHAIRMAN. Roy, just for the record, I think you should describe the *National Guardian*.

Mr. COHN. I think the *National Guardian* has been described in testimony before the committee as a magazine under Communist control following the Communist line and having on its staff a considerable number of members of the Communist party.

Senator JACKSON. Where is it published?

Mr. COHN. New York, Senator. It is a national magazine. It is published in New York.

I think, for the benefit of Senator McCarthy and Senator Jackson, I will ask you this question again.

Did you, within the last few weeks, make a speech at a Communist rally stating that you had been the one who had helped set up German newspapers following what you described as the democratic line, and that the State Department and this committee are now trying to make these papers reactionary?

Mr. ARONSON. I must decline to answer that question, on the grounds of the Fifth Amendment.

Senator JACKSON. Well, did you make that statement, without reference to where it was said.

Mr. ARONSON. I must decline to answer the question, on the some grounds, Senator.

Senator JACKSON. You were on the OWI payroll in 1945 and 1946?

Mr. ARONSON. Part of '45 and part of '46.

Senator JACKSON. Was that the only government service you had?

Mr. ARONSON. Yes, sir.

Senator JACKSON. Part of '45? When in '45?

Mr. ARONSON. From the late spring of '45—well, I was in Germany in July of '45. I was on the OWI payroll, I would say, from about May of '45 until the end of March, '46.

Senator JACKSON. That is the only federal employment you had?

Mr. ARONSON. Yes, sir.

Senator JACKSON. Do you recall signing an affidavit in connection with your employment that you were not a member of any organization advocating the overthrow of the government by force?

Mr. ARONSON. I must refuse to answer that question on the grounds of the Fifth Amendment, Senator.

Senator JACKSON. Did you sign such an affidavit?

Mr. ARONSON. I must decline to answer that question.

Mr. COHN. I have nothing more of this gentleman.

The CHAIRMAN. Just one or two other questions.

Did you ever have a security or loyalty hearing when you got your job with the State Department?

Mr. COHN. After you got the job?

The CHAIRMAN. Before or after.

Mr. ARONSON. There was no hearing. I received security clearance, and I received a security card before I went overseas.

Mr. COHN. Were you a member of the Communist party when you received that security clearance?

Mr. ARONSON. I must refuse to answer that question.

The CHAIRMAN. Were you ever asked by anyone as to whether you were a member of the Communist party in connection with obtaining that security clearance?

Mr. ARONSON. I must decline to answer that question, Senator.

The CHAIRMAN. Mr. Cohn and Mr. Jackson, I just asked the witness whether he had ever been asked by anyone whether he was a member of the Communist party in connection with his obtaining a security clearance. He has declined to answer. I do not think he has any constitutional right there.

Mr. COHN. Generally speaking, offhand, I can see where he would have a right. In other words, if he signed an affidavit denying that he was a member of the Communist party, and he was a member of the Communist party, he might be guilty of filing a false statement under the jurisdiction of a government agency, and might be guilty of a crime, and he might be within his right in so answering the question.

However, apparently the only affidavit he signed for government employment was in 1945, and that would be barred by the statute of limitations.

Senator JACKSON. But Congress could remove that.

The CHAIRMAN. I have just asked him if anyone ever asked him. That is just checking on the type of security regulations they had, and I think he should be ordered to answer that.

Senator JACKSON. I think he ought to be ordered to answer it. The question can be passed on later, but we might as well make the record now. Because I do not see that that would tend to incriminate him. The witness, as I understand the Fifth Amendment, can raise the privilege even though the tendency to incriminate is very slight. But I do not think that the question that was put goes to the truth of whether he was or was not a Communist. It goes

to the question whether a question was asked, just the act of the asking of the question.

The CHAIRMAN. And the purpose, I may say, is just to check on the type of security regulations the State Department had at that time. I am curious to know whether they cared whether he was a Communist or not. I will have to order you to answer.

Mr. ARONSON. I have no recollection that I was asked that specific question.

The CHAIRMAN. As far as you can recollect, when you were hired, nobody displayed any interest as to whether you were a member of the Communist party or not?

Mr. ARONSON. I have no such recollection.

Senator JACKSON. Do you recall whether there was anything in the questionnaire that you may have filled out?

Do you recall whether the question was written or oral, or both?

The CHAIRMAN. He said he did not recall any question being asked at all.

Mr. ARONSON. That is correct. I have no recollection of any such question being asked of me.

Senator JACKSON. Either written or oral?

Mr. ARONSON. That is correct.

The CHAIRMAN. I think that is all. Thank you very much.

We will ask you to return at ten o'clock tomorrow to room 318. And you understand you will have the same right in so far as counsel is concerned in public session as in executive session.

Is the other man your client also?

Will you ask him to come in?

Will you raise your right hand, sir?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BELFRAGE. I do.

Mr. COHN. Your name is?

**TESTIMONY OF CEDRIC BELFRAGE (ACCOMPANIED BY HIS  
COUNSEL, NATHAN DAMBROFF)**

Mr. BELFRAGE. Cedric Belfrage.

Mr. COHN. B-e-l-f-r-a-g-e?

Mr. BELFRAGE. That is right.

Mr. COHN. Mr. Belfrage, have you ever been employed by the United States government?

Mr. BELFRAGE. Employed by the United States government?

Mr. COHN. Is that such a difficult question?

Mr. DAMBROFF. It is.

Mr. BELFRAGE. It is rather a difficult question to answer directly to.

Mr. COHN. Maybe I can amplify it a little bit.

Were you a press control officer in Germany at any time?

Mr. BELFRAGE. I was.

Mr. COHN. By whom were you employed?

Mr. BELFRAGE. I was directly employed by the Ministry in London.

Mr. COHN. And what was your connection with the United States government?

Mr. BELFRAGE. I was under American army officers. I was in SHAEF, which was Anglo-American.

Mr. COHN. Who employed you?

Mr. BELFRAGE. The Ministry of Information.

Mr. COHN. The Ministry of Information in London?

Mr. BELFRAGE. Yes.

Mr. COHN. Were you a British citizen?

Mr. BELFRAGE. Yes.

Mr. COHN. Are you a British citizen now?

Mr. BELFRAGE. Yes.

Mr. COHN. And how long have you been in this country?

Mr. BELFRAGE. I came here first in 1926.

Mr. COHN. I see. And how long did you reside here?

Mr. BELFRAGE. Well, I have resided here as an immigrant, in the status of an immigrant, since 1937.

Mr. COHN. Have you ever applied for citizenship?

Mr. BELFRAGE. Yes.

Mr. COHN. When?

Mr. BELFRAGE. In 1937.

Mr. COHN. And what happened to your application?

Mr. BELFRAGE. What happened to it?

Mr. COHN. Yes.

Mr. BELFRAGE. Well, I was unable to complete it at the time when I was permitted to complete it or would have been able to complete it, because I was then working for the British government, so it was impossible.

Mr. COHN. So it lapsed?

Mr. BELFRAGE. It lapsed, yes.

Mr. COHN. Did you ever reapply?

Mr. BELFRAGE. No, I did not. I asked to reapply. I am sorry. I asked to complete the original application, since I had been overseas functioning in the war, and I was told that I couldn't do so.

Mr. COHN. When were you told that?

Mr. BELFRAGE. In 1945.

Mr. COHN. Since that time, have you filed any new application for citizenship?

Mr. BELFRAGE. No, I have not.

Mr. COHN. And under what circumstances are you resident in this country now?

Mr. BELFRAGE. As a resident alien, as a British immigrant.

Mr. COHN. Are you a member of the Communist party?

Mr. BELFRAGE. I am sorry. I feel that any answer I might give to that would be used only to crucify myself and other innocent persons, and I have to refuse to answer, under the Fifth Amendment.

The CHAIRMAN. You will be ordered to answer, if that is the ground on which you are refusing.

Mr. DAMBROFF. He has mentioned the Fifth Amendment, Senator.

The CHAIRMAN. You can only refuse to answer if you feel that a truthful answer would tend to incriminate you. Let me ask you this question. Do you feel that a truthful answer as to whether or not you were a member of the Communist party today would tend to incriminate you?

Mr. BELFRAGE. I must refuse to answer that, on the grounds of the Fifth Amendment.

The CHAIRMAN. You will be ordered to answer that.

Mr. DAMBROFF. He said he refused under the Fifth Amendment.

Mr. COHN. The chairman's question is as to whether he is exercising his privilege in good faith.

Mr. DAMBROFF. Yes, of course he is.

The CHAIRMAN. I have asked you the question whether you feel that a truthful answer to the question whether you were a member of the Communist party would tend to incriminate you. And for counsel's benefit, let me say this. Some witnesses refuse to answer on the grounds that perjury would tend to incriminate them. They are not permitted to so refuse, on that basis. I have asked the witness the preliminary question as to whether he feels that a truthful answer to the question of whether he is a member of the Communist party today would tend to incriminate him.

Mr. BELFRAGE. Yes, I do.

The CHAIRMAN. Then you have the right.

How long have you been in the country now?

Mr. BELFRAGE. Well, I think I just answered that question, Mr. McCarthy. I came here first in 1926, and I have been back and forth a great deal. But I have been residing here since 1937.

Mr. COHN. You have been here steadily since what period of time?

Mr. BELFRAGE. Well, the last time I came back in 1945.

Mr. COHN. You have been here from 1945 to 1953, as a resident alien?

Mr. BELFRAGE. I was also a resident alien before the war.

Mr. COHN. But during the last eight years you have been a resident alien in the United States?

Mr. BELFRAGE. Yes, sir.

Mr. COHN. During that period of time, have you been a member of the Communist party?

Mr. BELFRAGE. I again must refuse to answer that, on the same grounds.

Mr. COHN. Have any immigration proceedings ever been brought to seek your deportation?

Mr. BELFRAGE. No.

Mr. COHN. They have not.

Senator JACKSON. I want to get his residence. You came over in 1926 the first time?

Mr. BELFRAGE. That is right, sir.

Senator JACKSON. And how long were you here then?

Mr. BELFRAGE. Well, I went back and forth a lot. I was a freelance writer.

Senator JACKSON. A freelance writer?

Mr. BELFRAGE. Yes.

Senator JACKSON. You went back and forth to where?

Mr. BELFRAGE. To England.

Senator JACKSON. To England?

Mr. BELFRAGE. Yes.

Senator JACKSON. Who were you writing for?

Mr. BELFRAGE. Various publications about the movies. I was a movie expert.

Senator JACKSON. A movie critic?

Mr. BELFRAGE. Well, at that time. Originally I was writing for fan magazines.

Senator JACKSON. How long did that continue?

Mr. BELFRAGE. I was writing for fan magazines and similar publications until 1930.

Senator JACKSON. Then what happened?

Mr. BELFRAGE. In 1930, I was employed by Samuel Goldwyn to go back to England as his representative, publicity representative.

Senator JACKSON. How long were you in England then?

Mr. BELFRAGE. I continued with Mr. Goldwyn until 1931, for one year, and then I was employed by the *London Daily* and *Sunday Express* as a movie critic.

Senator JACKSON. How long did you stay on in that capacity?

Mr. BELFRAGE. In that capacity I was there until 1936.

Senator JACKSON. Until 1936. And then you came back to the United States?

Mr. BELFRAGE. Then I came back to the United States.

Senator JACKSON. And you stayed in the United States from 1936 for how long?

Mr. BELFRAGE. I have been here ever since, except that I have made two trips, I think, or three trips, possibly, back to England.

Senator JACKSON. Have you been any place besides England?

Mr. BELFRAGE. In my life?

Senator JACKSON. No, I meant since you came to the United States originally in 1926.

Mr. BELFRAGE. Yes, sir. I have been to quite a number of countries. I have been to practically every country in the world.

Senator JACKSON. You were in the Soviet Union at what time?

Mr. BELFRAGE. I was there in 1936.

Senator JACKSON. In '36. When were you there after that?

Mr. BELFRAGE. I haven't been there since.

Mr. COHN. How long were you there in '36?

Mr. BELFRAGE. About three or four weeks.

Senator JACKSON. In what capacity?

Mr. BELFRAGE. I went there on a vacation. I also wrote some articles.

Senator JACKSON. Whom did you write the articles for?

Mr. BELFRAGE. The *News Chronicle* in London.

Senator JACKSON. The *News Chronicle*. Anyone else?

Mr. BELFRAGE. I don't recall writing for anyone else.

Mr. COHN. Have you ever written for the *Daily Mail*?

Mr. BELFRAGE. I don't recall ever writing for them.

Mr. COHN. Have you ever written for the *Daily Mirror* in London?

Mr. BELFRAGE. I don't recall it.

Mr. COHN. The *Manchester Guardian*?

Mr. BELFRAGE. No, sir. I never have.

Senator JACKSON. When you entered the United States, or re-entered, on various occasions, you were required to fill out certain application forms, or not application forms but certain matters relating to immigration?

Mr. BELFRAGE. I presume so, yes. It is a normal procedure.

Senator JACKSON. You did. And do you recall questions with reference to whether you believed in anarchy, communism or advocated the overthrow of the government by force and violence?

Mr. BELFRAGE. I refuse to answer, on the grounds of the Fifth Amendment.

Senator JACKSON. You are relying on the Fifth Amendment in answer to that question?

Mr. BELFRAGE: That is right.

Mr. COHN. Now, how long were you in Germany as a press control officer?

Mr. BELFRAGE. About eight months.

Mr. COHN. And when was that? '45-'46?

Mr. BELFRAGE. January '45 until, I think, the end of September or maybe the beginning of October.

Mr. COHN. And who was your immediate superior?

Mr. BELFRAGE. Well, there was rather a complicated chain of command. The man in charge of the Press Control Division of the whole outfit was Luther Conant.

Mr. COHN. Was he an American?

Mr. BELFRAGE. An American, yes; an American civilian.

Well, no, I wasn't, really, because I was attached to a specific command. This thing varied. I was in various situations. But I was attached to a specific command under Colonel John B. Stanley.

Mr. COHN. Was he an American?

Mr. BELFRAGE. An American colonel, yes.

Mr. COHN. Was General McClure in overall charge?

Mr. BELFRAGE. He was in charge of the whole thing.

Mr. COHN. At that time. When you were a press control officer, were you a member of the Communist party?

Mr. BELFRAGE. I decline to answer, sir, on the grounds of the Fifth Amendment.

Mr. COHN. I see. What were your duties as press control officer, very briefly?

Mr. BELFRAGE. To explore the ground with regard to the setting up of new newspapers, since all the old ones were being abolished, and working under the army directive to make recommendations with regard to possibilities of plants which were available.

Mr. COHN. And licensing?

Mr. BELFRAGE. And in regard to licensing.

The CHAIRMAN. Was one of your functions to attempt to get newspapers sympathetic to the Communist cause?

Mr. BELFRAGE. No, sir. That was not one of my functions.

Mr. COHN. Did you attempt to do that?

Mr. BELFRAGE. No, I did not.

Mr. COHN. You did not?

Mr. BELFRAGE. No.

Mr. COHN. You were not influenced one way or the other?

Mr. BELFRAGE. Not in any way.

The CHAIRMAN. Did you try to get newspapers that were anti-Communist and pro-American?

Mr. BELFRAGE. There was no question of their being pro-American.

The CHAIRMAN. Did you try to get newspapers in the set-up that were anti-Communist and pro-American?

Mr. BELFRAGE. I was trying to get newspapers that were as near as possible to the American ideal of a newspaper, sir.

The CHAIRMAN. Were you trying to get newspapers that were anti-Communist?

Mr. BELFRAGE. That was not in the directive.

The CHAIRMAN. I do not care what was in the directive.

Mr. BELFRAGE. I did not, because if I had it would have been against my orders.

The CHAIRMAN. The directive was signed by whom?

Mr. BELFRAGE. General Eisenhower.

The CHAIRMAN. And you say there was nothing in that concerning communism?

Mr. BELFRAGE. Nothing whatever.

Mr. COHN. Did it tell you to license papers that were Communist?

Mr. BELFRAGE. Not that I recall. This matter was discussed at some meetings I was at.

Senator JACKSON. Did anyone talk to you or did you have any conversations with anyone who tried to influence your decisions in recommending a Communist paper?

Mr. BELFRAGE. No.

Senator JACKSON. You did not discuss the subject?

Mr. BELFRAGE. We were not allowed to set up any kind of party papers of any sort, either Communist, Social Democratic Centrist, or anything else.

Senator JACKSON. I do not mean in a formal sense, but covertly or otherwise.

Mr. BELFRAGE. No.

Senator JACKSON. You had no conversations with anyone?

Mr. BELFRAGE. With regard to?

Senator JACKSON. With regard to setting up, say, a certain newspaper which would have as its masthead and title anything but "Communist," but would in fact be a Communist paper?

Mr. BELFRAGE. No, sir. I had no such conversations.

Mr. COHN. Do you know James Aronson?

Mr. BELFRAGE. I do.

Mr. COHN. Did you know him over in Germany?

Mr. BELFRAGE. I did.

Mr. COHN. Was he a member of the Communist party then?

Mr. BELFRAGE. I decline to answer, sir, on the grounds of the Fifth Amendment.

Mr. COHN. Did you ever discuss with him the possibility of putting any of these papers in the hands of Communists?

Mr. BELFRAGE. No.

Mr. COHN. You did not?

Mr. BELFRAGE. No. You mean in the exclusive hands of Communists?

Mr. COHN. We are not talking about going about this as an open matter. As Senator Jackson explained, we are not talking about that. We are discussing this, and I think you can follow it from the standpoint of what the duty of a Communist would be, assuming you were a Communist at that period of time, namely, without openly disclosing what you were doing, trying to get as many papers as you could in the hands of people who would be sympathetic

with the Communist cause. I want to know whether or not you ever discussed that with Mr. Aronson.

Mr. BELFRAGE. I would like to discuss that with counsel, if I may.

Mr. COHN. Surely.

[Mr. Belfrage confers with his counsel.]

Mr. BELFRAGE. No, sir, I never had any such discussion, Mr. Cohn. I never had any such discussions with Mr. Aronson, and I didn't in fact work with Mr. Aronson on the selections of any editors. We went on one field trip together.

Mr. COHN. In connection with which paper?

Mr. BELFRAGE. That was in Bremen. He came along with me, because he had just arrived, and I was the most experienced person in the field, and he was sent by his superior.

Mr. COHN. Concerning how many papers did you make recommendations during your eight months there?

Mr. BELFRAGE. About four or five, I would say.

Mr. COHN. Can you give us their names?

Mr. BELFRAGE. The *Aachener Nachrichten*, A-a-c-h-e-n-e-r N-a-c-h-r-i-c-h-t-e-n, is the first.

Mr. COHN. Where is that?

Mr. BELFRAGE. In Aachen. That was before the end of the war. It was while the war was going on.

The second one was the *Frankfurter Rundschau*.

Mr. COHN. Were there any Communists on the *Frankfurter Rundschau* when you recommended its licensing?

Mr. BELFRAGE. Yes.

Mr. COHN. What were their names?

Mr. BELFRAGE. Arno Rudert, A-r-n-o R-u-d-e-r-t, Emil Carlebach, C-a-r-l-e-b-a-c-h, and I believe, but I am not quite sure—No, I think those were the only ones.

Mr. COHN. Are either of those still with those papers?

Mr. BELFRAGE. Rudert is still the editor.

Mr. COHN. He is still the editor. Did you have anything to do with this revolving fund established, that you might have read about in Germany, for the purpose of financing some German newspapers?

Mr. BELFRAGE. I never heard of that.

Mr. COHN. Were we giving any financial assistance to any of these newspapers at the time you were there?

Mr. BELFRAGE. No.

Mr. COHN. We were merely saying which could go into existence and which could not?

Mr. BELFRAGE. That is right. There was no need to, because only one was licensed in each town, and it had to be a broad, non-party paper for everybody, and everybody read it immediately.

Mr. COHN. You said you talked about looking at plants. I don't remember whether it was you or Mr. Aronson who talked about looking at plants.

Why was that any of your business?

Mr. BELFRAGE. It wasn't my major business. There was a printing expert there.

Mr. COHN. I am not talking about you personally. In other words, if our only job was to license papers and decide which should be in existence and which shouldn't—

Mr. BELFRAGE. The first thing was to decide whether they should be published, and where, because there was much destruction.

Mr. COHN. We gave them no money?

Mr. BELFRAGE. No, I don't recall any money being given to them.

Mr. COHN. They would need some money to buy equipment. You don't recall anything about that?

Mr. BELFRAGE. They were given it. Take, for example, in Frankfurt. The only building that was possible to use for the purpose was part of a building that had formerly been the *Frankfurter Zeitung*—no, another Frankfurter paper. The *Frankfurter Zeitung* was demolished.

Mr. COHN. You gave us two, the *Frankfurter Rundschau* and the *Aachener Nachrichten*. What were the others?

Mr. BELFRAGE. There was one in Bremen. I forget the name of it.

Mr. COHN. And the fourth?

Mr. BELFRAGE. And Kassel.

Mr. COHN. Kassel. Would that be the *Hessische Nachrichten*?

Mr. BELFRAGE. I am afraid I can't remember if that was the name of it or not.

Mr. COHN. Was Kassel in the British zone?

Mr. BELFRAGE. Not at the time I was there, no. I didn't do any work in the British zone.

Mr. COHN. And you left in about September of '45; is that right?

Mr. BELFRAGE. Yes.

Mr. COHN. Did you resign, or what?

Mr. BELFRAGE. I was requested to leave by General Eisenhower, for the reason that I was the last lone Englishman left in the American zone.

Mr. COHN. Did he personally request you to leave?

Mr. BELFRAGE. I had a telegram signed by him.

Mr. COHN. You keep saying "by General Eisenhower." I think that carries the implication that he spoke to you.

Mr. BELFRAGE. No. I had a telegram signed by him.

Mr. COHN. You do not know General Eisenhower?

Mr. BELFRAGE. No.

Mr. COHN. It was probably somebody fifty steps down the line.

The CHAIRMAN. What did the telegram say?

Mr. BELFRAGE. It was to this effect, that in view of the fact that all the functions in the American zone were now being put in the hands of Americans, I was requested to leave by a certain date.

Mr. COHN. Was this merely a routine thing?

Mr. BELFRAGE. I guess so. I don't think that there was any—I don't know of any comparable case. I was the only non-American in that particular outfit that I know of.

Mr. COHN. How did you happen to be there?

Mr. BELFRAGE. Well, because I was the first person to go in on this work.

Mr. COHN. Who sent you in originally?

Mr. BELFRAGE. Well, I went to Paris. I went to Paris shortly after the troops arrived in Paris. And I was there for a number of months doing very little.

Mr. COHN. Who sent you to Paris?

Mr. BELFRAGE. Well, I was under orders from SHAEF. I was attached to the Press Control Division. It was then called the Psychological Warfare Division of SHAEF, and then it was later called the Information Control Division. And I was sent to Paris, and I waited there for a long time, and then I was sent into Aachen. I was with the first team of about five people that went into Aachen to start the first paper.

Mr. COHN. You were hired originally by the British Ministry of Information?

Mr. BELFRAGE. That is right, yes.

Mr. COHN. Who there hired you, by the way?

Mr. BELFRAGE. Yes, I can remember who it actually was. It was a man called Herbert. He was a newspaper man.

Mr. COHN. With what paper? Do you know?

Mr. BELFRAGE. He was with the *News Chronicle*. He had been with the *News Chronicle*. I think he went back to it after the way.

Mr. COHN. Was he a Communist?

Mr. BELFRAGE. I have no means of knowing what he was.

Mr. COHN. Did he know you were a Communist?

Mr. BELFRAGE. He didn't know anything about me.

Mr. COHN. Did he ask? Did anybody ever ask?

Mr. BELFRAGE. Nobody ever asked those questions.

Mr. COHN. Has anyone in any governmental capacity ever asked you that question?

Mr. BELFRAGE. Anyone in any governmental capacity? I don't recall it.

Senator JACKSON. When you filed your application for citizenship in 1937, was any such question asked then?

Mr. BELFRAGE. I don't think so. I don't recall it.

The CHAIRMAN. Would you say that a man could be loyal to America and at the same time loyal to the Communist teachings?

Mr. BELFRAGE. I decline to answer, Senator, on the grounds of the Fifth Amendment.

The CHAIRMAN. I am not sure if you were asked this question before or not.

Do you believe it would be well to overthrow the government of the United States by force and violence if communism could not be imposed on this country by peaceful means?

[Mr. Belfrage confers with his counsel.]

Mr. BELFRAGE. Mr. McCarthy, I will have to decline to answer that question, on the ground of the Fifth Amendment.

The CHAIRMAN. Let me ask you this. Do you belong to an organization which advocates the overthrow of the British form of government and the establishment of a Communist form of government in Britain by force and violence?

[Mr. Belfrage confers with his counsel.]

Mr. BELFRAGE. I must decline to answer, again, Mr. McCarthy, on the ground of the Fifth Amendment.

The CHAIRMAN. Incidentally, did you know Mr. Lattimore?

Mr. BELFRAGE. No. I don't think I ever met him, sir.

Senator JACKSON. What is your present employment?

Mr. BELFRAGE. I decline to answer that on the grounds of the Fifth Amendment, sir,

Senator JACKSON. What did you do after you came back in '45 from SHAEF?

Mr. BELFRAGE. The first thing I did: I wrote a book about the whole experience in Germany under a Guggenheim Fellowship.

Senator JACKSON. What was the name of the book?

Mr. BELFRAGE. It wasn't published.

Senator JACKSON. It was not published? Why was it not published?

Mr. BELFRAGE. Because my publisher in England—it was written for a publisher in England—went out of business just before he got to the point. He was a new publisher who formed after the war, and he went out of business.

Senator JACKSON. You did not try to have it published here?

Mr. BELFRAGE. I did.

Senator JACKSON. What was it about?

Mr. BELFRAGE. It was an account of the work we did, a full account.

Senator JACKSON. Then what did you do?

Mr. BELFRAGE. After that I wrote another book called *Abide With Me*.<sup>27</sup>

Senator JACKSON. *Abide With Me*?

Mr. BELFRAGE. Right.

Senator JACKSON. Where was that published?

Mr. BELFRAGE. It was published by Sloane Associates in New York. It was a novel.

Senator JACKSON. When was that?

Mr. BELFRAGE. About '47.

Senator JACKSON. Then what did you do after that?

[Mr. Belfrage confers with his counsel.]

Senator JACKSON. After you wrote the novel.

Mr. BELFRAGE. I have to decline to answer that, sir, on the grounds of the Fifth Amendment.

Senator JACKSON. And from that time up to now, you decline to answer as to your employment, on the grounds of the Fifth Amendment?

Mr. BELFRAGE. That is correct, sir.

Senator JACKSON. Have you had any query from the immigration authorities?

[Mr. Belfrage confers with his counsel.]

Mr. BELFRAGE. Yes, about, I would say, three or four years ago, I was asked to go down to the immigration headquarters.

Senator JACKSON. And they asked you some questions?

Mr. BELFRAGE. They asked me some questions.

Senator JACKSON. What did they ask you?

Mr. BELFRAGE. Well, in effect they asked me if I would answer certain types of questions, and I said I wouldn't.

Senator JACKSON. You refused to?

Mr. BELFRAGE. Yes.

<sup>27</sup> Cedric Belfrage, *Abide With Me* (New York: W. Sloane Associates, 1948).

Senator JACKSON. Did they ask you whether you were a member of the Communist party?

Mr. BELFRAGE. They didn't ask me any specific questions.

Mr. COHN. They just asked you if you were asked certain questions, would you answer?

Mr. BELFRAGE. They said they wanted to investigate me. I said, "What do you want to investigate?"

He said, "Your associations and your writings." I think that was the wording they used. And I said that I would not answer questions on those things.

Senator JACKSON. They did not put any specific questions to you?

Mr. BELFRAGE. No. They indicated that they might, but they never did.

Mr. COHN. Of course, they agreed to abide by your decision that you should not be asked those questions, apparently.

Mr. BELFRAGE. That was all that happened on the occasion when I went there.

Senator JACKSON. When was that?

Mr. BELFRAGE. It would be around 1949 or '50. '49, I would think. It might have been 1950.

The CHAIRMAN. Who asked you the questions down there?

Mr. BELFRAGE. I don't recall his name, Mr. McCarthy.

The CHAIRMAN. Was it a man, or a lady?

Mr. BELFRAGE. A man.

The CHAIRMAN. Did they indicate any interest in any Communist activities you might have had?

Mr. BELFRAGE. They didn't indicate at all.

The CHAIRMAN. Well, you said that they were interested in your associations and your writings. Was there any indication as to what associations they were concerned with?

Mr. BELFRAGE. No indication whatever.

The CHAIRMAN. Did they ask you whether or not you would tell them whether you had been a member of the Communist party, if they asked you that question?

Mr. BELFRAGE. No.

The CHAIRMAN. And when you told them you would not answer the questions for them, what happened then? Did they pat you on the back?

Mr. BELFRAGE. They were quite friendly, and said I would probably hear from them again. But I did not.

The CHAIRMAN. I would say you probably will hear from them.

Senator JACKSON. You are aware of the fact that an alien who is a member of the Communist party or advocates or believes in the overthrow of the government by force and violence, among other things, is subject to deportation?

Mr. BELFRAGE. Obviously, yes.

Senator JACKSON. Do you believe you are subject to deportation?

Mr. BELFRAGE. I refuse to answer, on the grounds of the Fifth Amendment.

The CHAIRMAN. If you were drafted into the British Army or into the United States Army, would you be willing to fight against the Communist aggressors at this time?

Mr. BELFRAGE. I refuse to answer, on the grounds of the Fifth Amendment.

The CHAIRMAN. You refuse to answer?

Mr. BELFRAGE. Yes.

The CHAIRMAN. Do you think that the system of government in Russia today is superior to the system in Britain?

Mr. BELFRAGE. I refuse to answer, on the grounds of the Fifth Amendment.

Senator JACKSON. If you were given a draft call at the present time, or to the future, as long as you are here, would you turn it down and refuse to serve? I believe you have a right as an alien to elect whether or not you will accept or not. What would you do, under the circumstances, if you received notice of a call?

Mr. BELFRAGE. I refuse to answer, on the grounds of the Fifth Amendment.

Senator JACKSON. You mean you would be incriminated, you will incriminate yourself, if you say whether you would or would not subject yourself to the draft.

The CHAIRMAN. I do not have any further questions of the witness, I don't believe.

Mr. Belfrage, you will be ordered to return at ten o'clock in the morning to room 318. And you will have the same rights of counsel in public session as you have had in the private session.

I may say that we will ask an immigration officer to be present at tomorrow's hearing.

[Whereupon, at 3:45 p.m., the hearing was recessed, to reconvene at 10:30 a.m., Thursday, May 14, 1953.]

## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—Film maker Julien Hequembourg Bryan (1899–1974), after graduating from Princeton and attending the Union Theological Seminary, traveled widely taking 16mm film that he sold to motion picture companies. In the 1930s, he conducted extensive lecture tours, during which he showed film footage he had shot in Russia in 1932. He was in Warsaw in 1939 when Germany invaded, an experience recorded in his book *Siege* (New York: Doubleday, Doran, 1940), and film, *Warsaw: 1939*. In 1940, the Office of Coordinator of Inter-American Affairs, headed by Nelson Rockefeller, hired him to make films on Latin America. The State Department then contracted with Bryan to do similar films about other lands. His work came to the attention of David and Ella Mills, whose Davella Mills Foundation granted him \$300,000 to underwrite a non-profit film company. Bryan's International Film Foundation specialized in ethnographic films, including *Peoples of the Soviet Union*, which he produced in 1946 and revised in 1952. Later in the 1960s, his company made numerous films on Africa, Israel, Japan and the Pacific Islands. The subcommittee did not call Bryan to testify in public session.]

TUESDAY, MAY 19, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:30 a.m. in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Charles E. Potter, Republican, Michigan; Senator John L. McClellan, Democrat, Arkansas; Senator Stuart Symington, Democrat, Missouri.

Also present: Roy Cohn, chief counsel; G. David Schine, chief consultant; Henry Hawkins, investigator; Ruth Young Watt, chief clerk.

The CHAIRMAN. Who is your first witness?

Mr. COHN. Mr. Julien Bryan, Mr. Chairman.

The CHAIRMAN. Julien Bryan?

Mr. BRYAN. I am Julien Bryan, and this is my attorney, Edward Watts.

The CHAIRMAN. Would you raise your right hand?

Do you solemnly swear, in this matter now in hearing before the committee, to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BRYAN. I do.

The CHAIRMAN. That is your counsel with you?

### TESTIMONY OF JULIEN BRYAN (ACCOMPANIED BY HIS COUNSEL, EDWARD E. WATTS, JR.)

Mr. BRYAN. That is my counsel, Mr. Watts.

Mr. COHN. I didn't get the name.

Mr. BRYAN. Edward E. Watts, Jr.

The CHAIRMAN. Mr. Watts, the rule adopted by the committee is that you can consult with your client at any time you care to. If at any time you feel you want a conference with him, we will try to arrange a private room for you to have your conference. You may feel perfectly free to talk to him at any time. We do not, however, allow counsel to take any part in the proceedings other than to freely advise his client.

Mr. WATTS. May I ask a question?

The CHAIRMAN. Surely.

Mr. WATTS. I believe up to last week, Mr. Bryan has never testified in a Senate or congressional hearing, and up to now, I have never attended one in any capacity. And now in one week, he is being a witness for the second time, and we are a little disturbed and confused by it all. I wondered if I could ask what is the purpose of his testimony?

The CHAIRMAN. We would be glad to answer that.

Mr. WATTS. And whether any public use is to be made of it, and also, if a transcript is made, whether we would have an opportunity to look at it to correct any inadvertent errors, or perhaps to offer to supplement anything that we weren't prepared to answer at this time. That is a big question, with a lot of pieces.

The CHAIRMAN. Number one, the reason he is here is because we are investigating all phases of the information program. I understand he has had a great deal to do with the motion picture phase of it. And counsel has many questions to ask on that.

The next question is as to whether any public use will be made of the material taken today. Most likely, Mr. Bryan will be called for public session, I don't know. Whether the transcript will be made public or not is a matter for the committee to decide later. At this time I have no idea what his testimony will be.

The investigators and counsel seem to think he is an important witness. For that reason, he is here.

You will be allowed to examine the transcript and correct any typographical errors and such like. Whether the witness will be allowed to change answers to questions in substance is a matter that the committee would have to decide. In other words, to make myself clear, and I am not intimating that this witness will do that, but let us say the witness comes in and freely perjures himself in the first half of the hearing, and in the second half he is caught up on his questions, and he knows that he is caught. In a case like that, normally, he would not be permitted to go back and change those first answers. I am not indicating that this witness would, you understand.

This is Senator Symington, and Senator McClellan and Senator Potter.

Mr. Counsel?

Mr. BRYAN. May I ask who you are?

Mr. COHN. My name is Cohn. I am the counsel. I called you on the telephone and asked you to come down.

Mr. Bryan, you have done considerable work for the State Department, have you not?

Mr. BRYAN. That is correct.

Mr. COHN. How many films have you produced for the State Department?

Mr. BRYAN. I have made roughly twenty-three for the coordinator of inter-American affairs, which was pre-State Department, and blended into this; and I think something like fourteen or fifteen for the State Department.

Mr. COHN. What is the last film you made for the State Department?

Mr. BRYAN. It is a film that is called *Bennington Story*.

Mr. COHN. Now, do you have any existing contracts with any government agency at the moment?

Mr. BRYAN. Yes, I do.

Mr. COHN. With what agency?

Mr. BRYAN. With Point Four.

Mr. COHN. TCA?

Mr. BRYAN. TCA. That is correct.

Mr. COHN. And what is the extent of the contractual commitment there?

Mr. BRYAN. You mean in terms of films, or money? Or what is your question?

Mr. COHN. Give us both.

Mr. BRYAN. There are four films, one each on Jordan, Israel, and Iran, and then one overall picture for American use, a 27-minute film on the three countries.

Mr. COHN. What is the amount involved? How much do they pay you, gross, for the four?

Mr. BRYAN. \$40,000. It is important in these things, I think, Mr. Counsel, to mention the reels, the quantity. There are two reels each of the three Middle East films for use in that area. That makes a total of nine reels, for \$40,000.

Mr. COHN. Nine reels for \$40,000. Now, could you give us an approximation as to how much money you have been paid, gross, by the United States government over a period of years for production of these films? I understand it can't be an exact estimate in any sense.

Mr. BRYAN. I think that would be difficult, but I would say something around approximately \$300,000 over a period of twelve years.

The CHAIRMAN. May I interrupt? Who is the man with the machine?

Mr. BRYAN. May I explain, Mr. Counsel? The young man is Mr. Alexander who has been my personal operator on and off for twenty years in the showing of pictures. If there is any occasion to show films here, he is here. I think he is good.

He was a captain in the army in the last war.

The CHAIRMAN. That is okay. I just wanted to inquire about that.

Mr. COHN. You would say approximately \$300,000?

Mr. BRYAN. I would say over the twelve-year period it was something in that neighborhood.

Mr. COHN. And you just completed a film for the State Department, and you are under contract to do three films for TCA at the moment.

Mr. BRYAN. Those films are about finished. As a matter of fact, the three TCA films for abroad have been delivered abroad, where they will complete the soundtrack in their own language. They are

for local use. The American version film will be finished within two or three days. The work is completed. I mean, there are no new contracts. Is that your point?

Mr. COHN. I just wanted to get the contractual status.

Mr. BRYAN. Yes.

Mr. COHN. Now, Mr. Bryan, have you ever been a Communist?

Mr. BRYAN. I have never been a Communist.

Mr. COHN. You have been a follower of the Communist line, have you not?

Mr. BRYAN. I would say not.

Mr. COHN. You would say not?

Mr. BRYAN. I would say not.

Mr. COHN. You gave that testimony under oath.

Senator SYMINGTON. The witness is under oath, is he not? There is no use in insulting him on that.

Mr. COHN. I merely asked him a question. I didn't think it was an insult.

Mr. BRYAN. I would like to make a very simple answer on that. I do not think I have followed the Communist line.

Years ago I went to Russia. I took pictures over there. This may be discussed later. But I do not think that I have followed the Communist party line.

Mr. COHN. Have you ever belonged to any organization listed by the attorney general as subversive?

Mr. BRYAN. I belonged some twenty years ago to the American-Russian Institute. I was a subscriber to a magazine called *Soviet Russia Today*. I believe the subscription to that was \$5 a year or some such amount as that, and that, like subscribing, say, to the *National Geographic*, made me a member.

At the moment I can think, sir—I haven't memorized the list of the attorney general, I can think of no other group like that.

Mr. COHN. I will see if I can refresh your recollection.

First of all, were you on the National Committee of the National Convention of Friends of the Soviet Union in 1933?

Mr. BRYAN. I was not, and my name has been listed for many years. It was first printed in *The Red Network* by Elizabeth Dilling.<sup>28</sup>

Mr. COHN. Yes?

Mr. BRYAN. To my knowledge I was never on this national committee or ever notified of it, but it has been on the record a long time.

MF. COHN. Did you sue her for libel, or did you ask her for a retraction?

Mr. BRYAN. No, I did not. May I explain?

Mr. COHN. I don't think that means too much one way or the other.

Mr. BRYAN. May I only say that I never met her. But when this was printed, in 1933 or '34, Mr. Chairman, when I was lecturing in California, at Redlands University, and it was printed in the local press, then I went down and we had a long meeting with the local paper and the people who printed this, in which this and

<sup>28</sup>Elizabeth Dilling, *The Red Network; A "Who's Who" and Handbook of Radicalism for Patriots* (Kenilworth, Ill.: privately printed by the author, 1934–1936).

other statements which were false were printed about me at that time. I did not sue Elizabeth Dilling.

Mr. COHN. That is all right.

The CHAIRMAN. May I say that while the question is proper I do not think the fact that you do not sue someone who may say something that is untrue can be used as any indication that the article was true. There have been a thousand people that I have not sued that have said things I think are completely untrue.

Mr. COHN. Have you ever been connected with this organization, the Friends of the Soviet Union?

Mr. BRYAN. I recall no connection of any kind, except because of this paper that was mentioned—your question may come later—the picture; I think at one time they bought certain of my photographs, which in the meantime, Mr. Counsel, I was selling to the *New York Times* and to any other agency that would buy them.

Mr. COHN. Have you ever had any connection with the magazine known as *New Masses*, which is a Communist magazine?

Mr. BRYAN. I have had no connection with the *New Masses*, to my knowledge, in any way, except in one period; and between '33 and '36 or '37, my lecture bureau was asked if I would lecture at Washington Irving High School in New York on a fee basis, a small fee. The lecture bureau was accepting any lecturers at that time, from Catholic organizations, from universities, from YWCA's. This is my trade, earning my living by lectures. I accepted at that time. That was the extent of my connection with the *New Masses*.

Mr. COHN. I don't think you told us. This lecture was under the sponsorship of the *New Masses*, this particular lecture?

Mr. BRYAN. That is my understanding, yes.

Mr. COHN. Did you know at that time that was a strictly 100 per cent owned and controlled Communist organization?

Mr. BRYAN. No, I didn't. This was seventeen years ago, '36 or '37, and maybe it was my error, sir, in not investigating at that time, but if I lectured before a Catholic group or before another group, a university—

Senator SYMINGTON. What did you lecture about?

Mr. BRYAN. At that time I was lecturing, sir, with photographs of the Soviet Union. I had made several trips over there at that time.

Senator SYMINGTON. Did you go into any political or ideological aspect in your lectures?

Mr. BRYAN. In my own opinion, not. I lectured as I am doing today, all throughout America. And I was lecturing at that time also on Japan and China, as honestly and fairly as I know. I may have made mistakes, but these were my convictions and I had no control by the Communist party, either of the Soviet Union or of this country. I was not going to them for advice. I was speaking and answering questions which I received. I may have been wrong at times, but this was my conviction.

Mr. COHN. Did you say anything at all critical of the Soviet Union?

Mr. BRYAN. I certainly did.

Mr. Cohn, not only in this lecture but in many lectures at that time, it was not only what I said, but I showed, I believe, an honest picture of the Soviet Union. I showed, for example, that Russian

farmers at that time working under very real obstacles, with mud, with tractors broken down. I showed pictures of Kulaks who had been arrested or were about to be. I spoke German, for example, in those years, and I still speak it, to the Kulaks. And that was the beginning, as early as that, when I learned that there were some pretty dirty things going on over there.

Mr. COHN. Now, did you point out any of those things when you lectured under the sponsorship of the *New Masses*?

Mr. BRYAN. I do not recall verbatim the text of seventeen years ago, but in every lecture that I gave at that time, I described it with pictures. May I say there was no chance at any time of getting certain things like pictures of the GPU prison camps. I knew that when I went there. But I got as many pictures as I could to give a complete picture of conditions in the Soviet Union.

Senator POTTER. Did I understand you to say that you spoke there under the auspices of some lecture bureau?

Mr. BRYAN. There is a lecture bureau; the old gentleman has since died.

Shall I go on?

His name is William B. Feegens. He has since died. For fifteen years he was my lecture manager. People in Washington must be familiar with a lecture manager. He made these bookings. Perhaps there were bookings I didn't entirely agree with. But unless there was some very pronounced objection, I took it, and I gave my story. And I would say during those years I lectured as I do today before a very wide variety of cultural groups, including Roman Catholic seminaries, which, if they wanted this type of thing—and they somehow believed that what I had was authentic and good—I spoke for them. They gave me my fee, I always answered questions afterwards, with very few exceptions. I have even showed pictures similar to this at Fordham University in recent years.

Senator POTTER. How many lectures did you give for the *New Masses*?

Mr. BRYAN. I gave one, and that was booked by Mr. Feegens.

Mr. COHN. Now, Mr. Bryan, you spent considerable time in the Soviet Union, and I think as this testimony goes on, you will find you had considerable connection with activities concerning the Soviet Union, due to your trips there and your lectures and the movies you have made about the Soviet Union, and communism. Now, can you conceive of a Communist owned and controlled organization sponsoring a lecturer who would say something on the public platform critical of the Soviet Union? And if you can, I would like to know of any such instance.

Mr. BRYAN. I think I can, yes.

Mr. COHN. Well, would you tell us about that?

Mr. BRYAN. The best example is our American press there today. They are allowed in for good reasons, apparently.

Mr. COHN. Excuse me. Maybe I can save a little time here.

I meant a lecturer paid for and sponsored by a Communist owned and controlled organization in the United States. Did you ever hear of such an organization? I am not talking about the status of the American press in a foreign nation. I mean did you ever hear of a 100 percent Communist organization, an arm of the Communist party in the United States, putting on the lecture platform

under its sponsorship a lecturer who was critical of the Soviet Union?

Mr. WATTS. May I speak to my client a minute?

The CHAIRMAN. Certainly.

[Mr. Watts confers with Mr. Bryan.]

Mr. BRYAN. I think the answer is very simple. The *New Masses* asked me once. I did it once.

Senator SYMINGTON. I am getting a little involved here.

You were working for a living. Is that right?

Mr. BRYAN. That is right, sir.

Senator SYMINGTON. And you made up moving pictures?

Mr. BRYAN. Yes, sir.

Senator SYMINGTON. And you offered yourself for sale on a proper, normal, capitalistic basis of wanting to make a lecture. Is that right?

Mr. BRYAN. I think that is correct.

Senator SYMINGTON. All right. Then you have an agent, and he books you at various places.

Mr. BRYAN. That is correct.

Senator SYMINGTON. In some places they were leaning more toward one country, in some places toward another?

Mr. BRYAN. That is right.

Senator SYMINGTON. And in this particular case, you made one lecture before the *New Masses* when you presented one picture you had taken in Russia?

Mr. BRYAN. That is correct.

Senator SYMINGTON. I just wanted to be sure I understood it.

The CHAIRMAN. May I say for the benefit of the witness. The reason you are called in executive session is because if these questions were asked of you in a public session before the senators have a chance to examine and determine where they think the truth lies, it would create an impression that we thought you were Communistically inclined. That is the reason you are called in executive session.

Mr. BRYAN. Mr. Chairman, I appreciate that.

The CHAIRMAN. The fact that those questions are being asked does not mean that the senators have any feeling one way or the other on it. You are merely here and asked to give answers to questions.

Mr. BRYAN. May I go further and say that I want to answer any question you bring up? To my knowledge there is nothing that I have to hide, and I should like to be very frank with you all.

The CHAIRMAN. I may say it is counsel's task to vigorously examine any witness, and the mere fact that he asks you a question carries no intimation at all.

Okay, Mr. Counsel.

Mr. COHN. So we have now this lecture under the sponsorship of the *New Masses*. The next thing is this: Did you in your experience ever hear of the *Daily Worker* favorably reviewing a series of films about the Soviet Union which were critical of the Soviet Union?

Mr. BRYAN. Actually, Mr. Counsel, I never did. And some years later I was pointed out two or three paragraphs, after, may I say, fifteen years, which reviewed something in the *Daily Worker*.

Mr. Chairman, I don't take the *Daily Worker*, and I am not actually, either then or now, daily familiar with it. So if there were some reviews or comments which were either favorable or unfavorable, I did not see them at that time.

Mr. COHN. I have here a documentation, and I have copies of the *Daily Worker*. I think they reviewed not one but four or five of the films you made in the Soviet Union—or I have three, rather. I thought there were four or five. Each one was given what we might call a rave notice by the *Daily Worker*.

Senator POTTER. When was that done?

Mr. COHN. That was up through 1947, Senator Potter.

Now, would you agree that those films certainly could not have been critical of the Soviet Union?

Mr. BRYAN. I have not seen, Mr. Counsel, the review, and therefore what they said I honestly don't know.

Mr. COHN. Let us take the film *People of the USSR*. Do you regard that film as critical of the Soviet Union? That is being shown through 1952. It is being shown right up to the present time.

Mr. BRYAN. That is being shown today. I have that picture here,

Mr. COHN. Except where it has been banned in various places.

Mr. BRYAN. I have the picture here. May I throw some light on this picture?

Mr. COHN. I would like an answer.

Mr. BRYAN. What would you like?

Mr. COHN. I would like to know first whether you regard that picture as in any wise critical of the Soviet Union.

Mr. BRYAN. I think I need to explain the status of the picture. May I take a moment to do that?

Mr. COHN. Why, surely.

Mr. BRYAN. Good. This picture is largely composed—this is a picture with a sound track on it—it is largely composed of material which was shot in the Soviet Union from 1933 to 1937. This is what we call “library” footage. After the war, in 1945, at the time we were coming to the end of the war, and in a period of at least normal, to most of us, friendly relations with the Soviet Union, this film was edited. We believed then, maybe wrongly, that, having been friendly with the Soviet Union during the war, some sort of reasonable peace could be worked out.

Senator POTTER. This was when the co-existence policy was in effect?

Mr. BRYAN. This was in August 1945, when we began it, at just about the time, August and September, of the atomic bomb and the surrender of the Japanese. Therefore, with the state of mind of the country, of our own State Department, of our own government, of most members, I believe, of Congress, we were hopeful, because of our being allies with Russia and England during the war, that something on a friendly basis for world peace could be worked out.

The film was edited, and the text issued at that time.

A year and a half ago, since this film had rather broadcast use in this country, and we were proud of it, we arranged to issue a new release through McGraw-Hill Publishing Company. They have what they call text film. They liked the film, the officials there did. They did not press us to revise it.

I felt myself, because of the greatly changed climate, the actions of Russia in the last few years, if this film were to be used in 1952 and '53, it warranted a new edition.

So in the last eighteen months, we have made that new edition. I have brought it here today, and if you like at a later time we can show you the old edition. But I believe that this film today—I have the text of it here.

Mr. COHN. This is the new edition?

Mr. BRYAN. The new edition.

Mr. COHN. When was this made?

Mr. BRYAN. Between a year and eighteen months ago. The picture was not changed. It is the narration which has been changed.

The CHAIRMAN. For the information of the senators, so that you will have a better picture of why the witness was brought here, and for the information of the witness also, we contacted the State Department some time ago, when we learned that there was to be a \$240,000 contract given to the International Film Foundation.

Mr. COHN. You are the director of that?

Mr. BRYAN. I am the executive director.

The CHAIRMAN. And we have been informed by the security division of the State Department that after a check of the background of Mr. Bryan, they have canceled out the contract on the ground that they felt he was not a good security risk, and his background is such that he should not be producing films for the department.

I may say if this record is made public, I wish you would check with me first and get the permission of Mr. Ford, who gave us the information, to have that made public.

I thought the senators would want to know that.

Mr. COHN. There is further information along that line, Mr. Chairman.

Did you apply for an appointment with HICOG at any time?

Mr. BRYAN. No, sir.

Mr. COHN. In any capacity?

Mr. BRYAN. No, sir.

Mr. COHN. Well, the files of the Department of State indicate that Mr. Bryan was to be employed as a consultant with HICOG in April of 1951.

Mr. BRYAN. Yes. I didn't apply. I was approached by State. I didn't apply.

Mr. COHN. Well, you were approached. You knew you were under consideration for the position?

Mr. BRYAN. That is right.

Mr. COHN. And as of April 12, 1951, Mr. Bryan was rejected for security reasons by the Department of State. That is reflected in a letter from the State Department to David Wilkin, W-i-l-k-i-n, an Official of HICOG. That letter I understand, is available, Mr. Chairman.

Mr. BRYAN. This is all news to me, the story of the cancellation of the contract. I canceled the contract. That has been offered to me, and I, after many months had been in process, contracted to go and set up school for the training of young men in Indonesia, in which we were to employ eight young Americans to go out there, who were skilled in the motion picture industry. The Indonesian government and our government officials over a period of fifteen

months approached me on this thing. Apparently there were some twenty of us considered, and I was asked to go, of the twenty. I have been over recently, in October, November, and December, in the Middle East, on the Point Four job. They cabled me, our government and the Indonesian government. I received a cable from my office saying that both the Point Four officials and the Indonesian government demanded that I come back immediately—this was during the month of November '52—if I were to get this contract.

I mean, is this fair? This is the approach that the officials of Point Four of State Department and the Indonesian government took. Mr. Watts is my counsel. He was present. They said unless I hurried back I would not be given the contract. Mr. Watts and three of my staff, four of them all together, came down and spent all day here with the Point Four officials and with the officials of the Indonesian government to iron out certain points in the contract. The contract was offered me and was finally turned down by me because of financial reasons.

The CHAIRMAN. When was the contract offered you?

Mr. BRYAN. It was in tentative offering for two or three months, Mr. Chairman, and was finally offered me definitely in early January.

The CHAIRMAN. Early in January of this year?

Mr. BRYAN. Yes.

The CHAIRMAN. I think, then, to have the record complete I should read into the record the letter from the Department of State, dated January 21, 1953, if the senators will bear with me.

MY DEAR SENATOR MCCARTHY: Your letter of December 30, 1952, addressed to the Secretary of State has been referred to me for reply.

As Administrator of the Technical Cooperation Administration, I am glad to transmit the following information.

The proposed contract referred to in your letter between the Republic of Indonesia and the International Film Foundation has not been signed. It is part of a project set up originally by the Mutual Security Agency in response to a request from the Indonesian government for technical administration and rehabilitation and development of film and radio communications for educational purposes in support of Indonesia's economic development program. The project became the responsibility of TCA on July 1, 1952, and the United States program of technical cooperation in Indonesia was transferred from Indonesia to the Technical Cooperation Administration. TCA is not a signatory to the contract. The contracting parties are to be the Indonesian government and the International Film Foundation.

However, since the contract is part of a joint program, and U. S. funds are involved, TCA is responsible for advising the parties on technical financial and legal aspects of the contract.

The contract calls for a U. S. contribution of approximately \$240,000, under TCA authority, to make grants to countries participating in the technical cooperation program. The contribution of the Indonesian government is estimated at slightly more than this amount in the form of counterpart funds, housing, per diem, travel in Indonesia, and laboratory and studio construction costs.

When we have completed an examination of the information developed on Mr. Julien Bryan and the International Film Foundation, TCA will make a recommendation to the Indonesian government as to whether or not the contract should be signed.

Sincerely yours,

GLEN R. ADAMS,  
*Administrator, TCA.*

I may say that subsequently to that we received information from the State Department that you were recommended against, after they had completed the examination which they refer to in

this letter, on security grounds. This is dated January 21. It seems to be in direct conflict with your statement that you were offered the contract before that and could have had the contract before that time.

Mr. BRYAN. I will stand by my statement. The only thing at the end, in early January, was the question of certain figures. I had made a bid, Mr. Chairman, on this, along with others, and they had accepted my bid for roughly \$200,000, plus some additional things that came later. Anyway, it was accepted. Mr. Watts, if you need him, could testify to that, because he was here, and I was not. I was in Europe.

But the general thing at the end, in the last discussion, had to do, in a joint round table conversation with me, with my accountant or controller, and six of the officials of the TCA, in which we were trying to decide on the exact amount of overhead which would be allowed to me and my foundation for this very difficult work abroad.

The final discussion—it was offered, and the final turning down by me was that they cut, frankly, something like \$20,000 off of the original amount which several months before we had agreed on.

I talked to Mr. Watts, who is not only my attorney but is president of our foundation, and I talked to our bankers in New York, and they definitely advised against accepting such a contract, which was too risky for us. They felt the margin was too small.

The CHAIRMAN. Did the security department of the State Department turn down any of your films? In other words, ban them? Did the State Department ban any of your films?

Mr. BRYAN. I am little puzzled. Do you mean any of the films I have made for it?

The CHAIRMAN. Yes.

Mr. BRYAN. I have never heard of such a thing. May I say I have just come from the Middle East and Turkey, Egypt, Yugoslavia, and to my great pride as an American citizen, my films made long ago for the State Department are being used very widely, and in between thirty and forty languages.

The CHAIRMAN. The question was: Do you know whether or not they ever turned down one of your films because they claimed it was procommunist?

Mr. BRYAN. I know of no such films of any that I made for the government. There was a discussion on one film, which our foundation made some years ago, on racial prejudice, called *Boundary Lines*, and there was some question within the department of whether that would be useful in certain countries. To my knowledge, it was never turned down, and to my knowledge, it is still being used. This was not a film made for the State Department.

Senator SYMINGTON. Mr. Chairman, I would like to say something here. I do not quite know where we are going on this, and I do not want to be premature with respect to the counsel's questions. But at one time while our relationship with Russia was very friendly, we had an organization that came over here, and every businessman in America knew about it, called AMTORG. And they set up an office in New York. And the long and short of it was that they had a lot of money and they wanted to do business with the United States.

Now, this man says he is not a Communist, he never has been a Communist, and he has no Communist leanings. Suppose the General Electric Company builds a dam and the vice president in charge of sales, or a salesman, went over there, associated with Communists, dined with Russians, had his picture taken and put in the paper, wrote letters saying that he thought Russia was a wonderful country, and so on and so forth, in an effort to get this business for the General Electric Corporation. I mention it to you because I know they did a great deal of this type and character of work.

I think there are some of the things that the State Department has done in the past that are similar to what perhaps some other people do. Therefore, whether or not he has been accepted or rejected by security in 1951 is something I think, based on testimony here—incidentally, I have never seen this man before—you would be skeptical of if it went the other way. I know I went down to AMTORG as a business man trying to get business from AMTORG. This was before they were fighting on our side, and so forth. If they said, "We would like you to go to the Soviet," everybody in those days was anxious to do business with Russia. Unless there is some tie-in with the Communist party, I do not see what there is in this.

The CHAIRMAN. May I say that we cannot determine whether there is a tie-in until we finish the examination. I know nothing about this man. I have never seen him before. We have the information that he has been turned down in 1953 on security grounds. I would be curious to know why. We have the information that some of his films have been found unsatisfactory. I saw one of his films, entitled *Bennington College*, one that is being distributed throughout the world. I could find nothing pro-Communist in the film. If you will pardon me, Mr. Bryan, I found it completely insipid. I do not think it would educate anyone in the world about America. It was one of those things you would look at for two minutes, and you could not help saying, "My God, are we paying money for this?" Nothing of a pro-Communist nature; just completely valueless. And you see, as well as examining into any possible pro-Communist background, I am just curious to know about that.

Senator SYMINGTON. I think if the guy bought it, it was a good film from his standpoint, even though it might have been a poor one from yours or mine.

The CHAIRMAN. So we are interested in how much is paid for those films and why, for example, they distributed a film like *Bennington College*. I may say I have asked the staff to examine all the films made by this firm.

Let me ask you one question before counsel proceeds: Is your foundation tax-exempt?

Mr. BRYAN. Yes, sir, that is correct.

The CHAIRMAN. It pays no taxes whatsoever?

Mr. BRYAN. I don't think it does. As to social security we began without that, and my understanding is that we now pay. But as far as the corporation is concerned, we are a tax-exempt corporation.

Senator SYMINGTON. May I ask you a question there?

What is your return? What do you get?

Mr. BRYAN. Well, that is rather interesting. I get officially \$22,500 a year. This year I have gotten nothing, and I have loaned

the foundation \$2,000. Last year I got almost my full salary. The year before I got \$6,000.

Senator SYMINGTON. What was your full salary?

Mr. BRYAN. The full salary when the foundation began, eight years ago, was \$20,000. This was determined by the board of trustees of my foundation and the board of trustees of Davella Mills, which is the foundation which gave us this grant.

Senator SYMINGTON. Just as a matter of interest, what is your net return after taxes on your \$22,000 salary?

Mr. BRYAN. I would say something like \$15,000. This was determined—may I say one thing, Mr. Chairman—this was determined some years ago, in 1945, by the board of trustees of both of them, and my salary was set at \$20,000.

That was the way it was based. Mr. Watts—and you could use him if you wish to—could verify or check this. It was based largely on what my earnings had been in my lectures and as a private individual.

The CHAIRMAN. I am not criticizing what you got. I am just curious to know about the tax exempt feature. How many other officers of the corporation draw a salary?

How many other people in the corporation draw a salary?

Mr. BRYAN. None.

The CHAIRMAN. In other words, you are the only person. Except your salaried employees?

Mr. BRYAN. That is right. And may I say: This is a little foundation. If we have a hard year this year—I am not apologizing to anybody; I believe in what I am doing. I believe it is one of the most American things I can do, to make these films to show all over the world to create better understanding. This year I not only have gotten zero since January, but I am in \$2,000 that I have loaned the foundation. I don't apologize for that. I want this work that I am interested in to continue.

Senator SYMINGTON. I suggest you answer questions, rather than giving talks.

Mr. BRYAN. Okay. Sorry.

Senator SYMINGTON. May I ask: Who was on the foundation besides yourself?

Mr. BRYAN. I think an important thing is this little booklet here. This is all listed.

The CHAIRMAN. Mr. Bryan, I know you are trying to answer in detail. You may take as much time as you care to, but you are giving lectures instead of answering. Senator Symington asked you who is on the foundation besides yourself?

Mr. BRYAN. Mr. Edward Watts, who is my attorney and is here today—

I had better just read them.

Mr. COHN. Is Mr. Owen Lattimore still on your education committee?

Mr. BRYAN. We had, eight years ago, an advisory council. That advisory council was abolished about eighteen months to two years ago. Mr. Lattimore was originally on it.

Mr. COHN. Was he on it at the time of its abolition eighteen months ago?

Mr. BRYAN. The advisory council, of about twenty people, had never met.

Mr. COHN. Maybe you didn't understand my question.

Was Mr. Lattimore a member of the advisory council at the time it was abolished?

Mr. BRYAN. Yes, he was.

Mr. COHN. That is all I wanted to ask you.

Mr. BRYAN. May I ask you, Mr. Symington. Do you want the others, quickly?

Senator SYMINGTON. Yes.

Mr. BRYAN. Besides Mr. Watts and I, Paul Braisted, Thurston Davies, William Halstead, Ruddick Lawrence, Hazard Reeves, Thomas C. Roberts, Lorimer Slocum, and Theodore C. Speers.

The CHAIRMAN. Where does Mr. Slocum work?

Mr. BRYAN. Young and Rubicum. He is one of the vice presidents.

The CHAIRMAN. I am a bit curious, in view of the fact that we are checking into this matter of tax free foundations over in the Appropriations Committee. I would like to ask you a couple of questions on that, which really have nothing to do with the films you produced.

How much attorneys' fees do you pay a year out of this foundation? In other words, what does Mr. Watts draw?

Mr. BRYAN. I am not sure of what the entire amount has been. He has mostly volunteered his services, Mr. Chairman, for me. In probably six or seven years, we may have paid \$2500.

The CHAIRMAN. Have any of the members of your family been on the payroll of the foundation?

Mr. BRYAN. No.

The CHAIRMAN. Any relatives at all?

Mr. BRYAN. No.

Mr. COHN. I would like to quote from the *Daily Worker* of May 15, 1947; referring to a review of a one-reel film of yours entitled "Religion in Russia," by David Platt, the official reviewer of the *Daily Worker*.

Julien Bryan took these pictures on one of his recent trips to the Soviets. Bryan introduces the film to the audience.

He apparently had been present at a meeting at which you presided and introduced the film. "He," meaning you,

says he had no trouble penetrating into the Iron Curtain. The Soviet authorities gave him permission to shoot wherever and whatever he pleased. He reports that some 8,000 churches are open in the USSR. Later a Roman Catholic priest in Moscow is heard saying, "The Soviet authorities have done remarkably well to uphold religious worship." Those who prate so loudly about the lack of religious freedom in the USSR owe it to their conscience, if they have one, to see these uncensored pictures.

That is the *Daily Worker* of May 15, 1947.

Mr. BRYAN. I am a little confused by this. This, whatever you have just stated, is a statement on a sound track of a Catholic priest in Moscow?

Mr. COHN. That is right. It is a film you took.

Mr. BRYAN. I did not take it. This is part of a Pathe News thing, and you are either misreading, or the statement is incorrect. This was made by Pathe News, a one-reel release.

Senator SYMINGTON. I do not think you should say the counsel is misreading anything.

Mr. COHN. Did you take the pictures, or not?

Mr. BRYAN. I did not take the pictures of the Catholic priest. I was there under UNRRA for three months.

The CHAIRMAN. Did you show the picture?

Mr. BRYAN. I took the pictures, Mr. Chairman, of the first part of this description.

The CHAIRMAN. Mr. Bryan, the *Daily Worker* refers to a certain film. The question is: Were you showing that film?

Mr. BRYAN. No, I didn't show it. I made this for Pathe News.

Mr. COHN. Right.

Mr. BRYAN. May I explain?

Mr. COHN. Surely.

Mr. BRYAN. I made the first part of it, and the Pathe News people decided to add some material they had obtained of an actual synchronized voice tract of a Catholic priest in Moscow, who, frankly, I have never met and have never seen. They added that to some material, let us say, six or seven minutes, which I took of the Russian churches.

Now, it needs this explanation, if you will allow me one second. The point is that what I said now and in my lectures all over America I still say today, that Stalin changed the whole policy at that time, during the war, and allowed the churches which had been closed to be reopened. He did it because of public relations. He was losing his people.

The CHAIRMAN. Can I get back to this question? The *Daily Worker* says you were showing a certain film. Question: Were you showing that film? Regardless of whether you took it or Pathe took it, regardless of who dubbed in the priest's voice, did you show that film?

Mr. BRYAN. This Pathe release obviously I didn't show. This was released by them to the theater.

The CHAIRMAN. Never mind about "obviously" you did not. Did you, or did you not?

Mr. BRYAN. It is not as simple as that.

Senator SYMINGTON. Go ahead. Take your time and answer the question.

Mr. BRYAN. I want to take my time, because this is very important to me and to my integrity.

Senator SYMINGTON. Forget your integrity; answer the question of the chairman, will you?

Mr. BRYAN. I took two things over there. I took pictures on the condition of Russian churches today. I took a small amount of footage which was released by Pathe.

Mr. WATTS. May I interrupt just a second?

[Mr. Watts confers with Mr. Bryan.]

Senator POTTER. The witness is prepared to answer the question now.

The CHAIRMAN. You were explaining whether or not you had shown this film.

Mr. BRYAN. I may have shown this one-reel Pathe News newsreel once or twice, but this had a sound track on it. And, Mr. Chairman, I don't lecture with a film with a sound track on it. That was made for the theater, period.

The *Daily Worker's* review there I had never seen, and I did not know about that.

The CHAIRMAN. We are asking you a very simple question. We are not accusing you of anything. The *Daily Worker* says you showed a film extolling the complete religious freedom in Russia. You say there was the voice of a priest dubbed into that film by somebody else. I merely ask you the simple question: Is it true that you showed that film? And who paid you for it?

The first question is. Did you show this film as described by the *Daily Worker*?

Senator SYMINGTON. With the sound track that the *Daily Worker* reports.

Mr. BRYAN. I might have once or twice, privately, but never for a lecture. This was made by Pathe News, so I had no control over this.

Senator SYMINGTON. You made the pictures, and they made the sound track?

Mr. BRYAN. As far as I recall, they called me in and dubbed in my voice at that time, and then they released this picture. But I do not think the review in the *Daily Worker* which is read here is honest or accurate. Because all over America at that time, today and then, I was lecturing on how these people still were fighting for religious freedom in spite of Stalin and the Kremlin.

Mr. COHN. Mr. Bryan, maybe this will help clarify it a little more. I am reading from the *Daily Worker* of Monday, February 10, 1947, the same column. It says:

Julien Bryan, documentary film producer mentioned above—

It refers to the fact above that at some meeting a picture of yours called People of the U.S.S.R. was shown. Did you make such a picture?

Mr. BRYAN. This is the picture which we have discussed, and of which we have the revised version here.

Mr. COHN. And that picture, you will agree, has been banned in certain school systems throughout the country as Communist propaganda.

Mr. BRYAN. I think that it has. It has been banned.

Mr. COHN. Do you think that the education officials were right, or wrong, in banning this as Communist propaganda?

Mr. BRYAN. I think they were wrong.

The CHAIRMAN. Has the information program used that film since it has been banned by the schools?

Mr. BRYAN. May I say as far as I know the State Department has no connection with these films on the Soviet Union.

Mr. COHN. Now, Mr. Chairman, I would like permission to insert in the record an article from the *Chicago Sunday Tribune*, dated March 23, 1952, entitled "Parents Object and Red Movie is Impounded."

The CHAIRMAN. Very well.

[The material referred to is as follows.]

#### Parents Object and Red Movie is Impounded

Twin Falls, Idaho, March 22 (Special)—School authorities said here today that a film, "Peoples of the USSR," obtained from Washington State College for the elementary school audio-visual program, has been impounded after a single showing because of complaints that it contains Communist propaganda.

Arthur Kleinkopf, Curriculum Director for the Twin Falls schools, said the film will be sent to the Senate Internal Security Committee in Washington for an investigation into its source and into responsibility for propaganda statements in an accompanying sound track.

Kleinkopf said this film was shown Tuesday to fourth, fifth, and sixth grade students in the Washington school here. He said Virgil Allen, principal of this school, reported to him that the film was objectionable and that he canceled further showings.

#### Board Studies Film

He said the decision to impound the film for congressional investigation was made yesterday after a special showing before the School Board and the National Affairs Committee of the local Chamber of Commerce.

Claude Detweller, a local businessman, said the Chamber of Commerce became interested when parents of children who had seen the film reported their children came home with high praise for Russia.

"Boy, things are sure nice in Russia," one youngster told his parents, telling about the film.

"We could have peace if we could just get together," said another pupil who had seen the movie, "Russia Wants Peace."

Detweller said the scenes depicted in the film were not in themselves necessarily objectionable but were made so by the commentary. He said children in a playground in a Russian industrial city were described as having been born in Detroit and brought to Russia by their parents in a search of happiness.

#### Court Scene Described

Another scene showed a court trial in which a man unable to get along with his neighbors was fined one half of six months' pay by Russian judges. This was explained as evidence that Russia permits no-racial intolerance.

"We want Congress to find out if this commentary was supplied when the film was produced in 1946 or if it was recently dubbed in," Detweller said.

Dr. W.A. Pearl, Acting President of Washington State College, was reached by local school authorities in Seattle, where he is attending a convention. He said he would order rescreening of all films in the library, which is maintained jointly by the college with the University of Washington and the Central Washington College of Education.

#### Film Made in Russia

Glen Jones, Director of the Washington State College's Community Service Department, which issues films from the library to schools in Washington and Idaho, said in Pullman, Washington, he is certain there has been no substitution of comment or any other tampering with the film's sound track.

He said the film was made in Russia in 1946 by Julien Bryan, an American producer of documentary films, and was released to the college by the International Film Foundation. He said he understood this is an organization formed to distribute Bryan's documentaries.

"This is one of 76 films booked by the Twin Falls schools from our library for showing between mid-February and mid-May" he said. "It has been a popular film and we have had no previous complaints about it." Our records show the film was issued previously to Twin Falls in September 1950.

Mr. COHN. Now I am reading from the *Daily Worker* of February 10, 1947:

Julien Bryan, documentary film producer mentioned above, is now in the Soviet Union making a new series of 16 mm films for distribution in this country. Bryan, who is Executive Director of the International Film Foundation, recently cabled his New York office that he spent several weeks in Minsk "making pictures of the rebuilding of hospitals, schools, orphanages and factories from the utter devastation of Minsk." The producer praised the cooperation he had received from Soviet authorities. "We photographed freely on the streets and bridges and had no police interference, no civilian questioning, and no hostility; only friendliness."

Is that an accurate quote?

Mr. BRYAN. I presume it is. May I ask the date of that?

Mr. COHN. Yes, surely. I read it before. Monday, February 10, 1947.

Now, my next question is this: Are people from your company frequently in communication with the film critic of the *Daily Worker*?

Mr. BRYAN. I don't know, Mr. Counsel, that they have ever been.

Mr. COHN. I was just wondering how the film critic of the *Daily Worker* could get the text of a cable you sent your office, and say, "Bryan, who is now in Russia, recently cabled his New York office," and then set forth the text of the cable. Obviously they must have obtained it. I was wondering who in the foundation had communicated the text of your cable referring to the great cooperation you were receiving in the Soviet Union, to the *Daily Worker*.

Mr. BRYAN. I would have no idea, and this is the first time I have heard of this.

Mr. COHN. Would you like to see it?

Mr. BRYAN. I would.

Senator POTTER. When did you visit the Soviet Union, that that had reference to?

Mr. BRYAN. I think it is very important to have why I was there.

Senator POTTER. When were you there?

Mr. BRYAN. I was there in December '46 through part of February of '47. Three months I was there, under the auspices of officials of UNRRA and working closely with the officials of our State Department here. I mean, my trip was not mysterious. They knew I was going, and they held me up as I applied for my visa. I was turned down abruptly early in 1946, and it was only some months later, through the auspices of UNRRA, that I was able, as a reporter of motion pictures—

Senator POTTER. You were turned down abruptly by whom?

Mr. BRYAN. By the Soviet embassy in Washington.

The CHAIRMAN. When was this?

Mr. BRYAN. This was in the summer of 1946, in May, June, July—in that period.

Senator POTTER. Then you went over later as a representative of UNRRA?

Mr. BRYAN. I went over later, first into Italy, with our foundation crew. We made some films there. Then into Czechoslovakia, which at that time was a free country and was not under the Communist auspices. Finally, I went in December, around the first of December 1946, to Poland. And this was in the period immediately following the war.

The CHAIRMAN. May I ask if this is a correct statement, in the *Daily Worker*: "He," referring to you says "that he had no trouble penetrating the Iron Curtain. The Soviet authorities gave him permission to shoot wherever and whatever he pleased."

Did they let you take pictures?

Mr. BRYAN. No, that is not true. May I take one minute, Mr. Chairman? Because this is crucial, I think.

Mr. COHN. You say that is not an accurate quote from the cable? You see, they put this in quotations.

Mr. BRYAN. I do not know about the cable. I mean, I don't recall word for word from the cable.

Senator POTTER. You recall sending a cable, do you? You recall sending a cable back?

Mr. BRYAN. I recall sending a cable to my office, possibly to Mr. Watts, or at least to my office, saying things were going very well and we were getting good pictures.

Mr. COHN. You do not know who gave that to the *Daily Worker*?

Mr. BRYAN. I have no idea, sir.

The CHAIRMAN. Were you allowed by the Soviet authorities to shoot wherever and whatever you pleased?

Mr. BRYAN. We were not.

The CHAIRMAN. If this was a correct quotation from the film, using your voice, this indicates that you said you were in the film. Now, do you have a copy of that film yet.

Mr. BRYAN. I haven't a copy. I am sure we could get it.

The Pathe film, you mean?

The CHAIRMAN. Yes.

Mr. BRYAN. No, I have no copy with me.

The CHAIRMAN. If you follow me, Mr. Bryan, if you come back in 1947, and they are showing a film of this authority, who is over in Russia, and he says: "I was able to travel freely throughout Russia, and I could take pictures of whatever I wanted to take," if that was not true, it would be rather improper to circulate that film.

Now, this voice of the priest that was dubbed in. You did not see that priest, and you did not take that picture?

Mr. BRYAN. No.

The CHAIRMAN. So you do not know whether that was a phony, or true?

Mr. BRYAN. I was assured by the people at Pathe, who had this material, that it was true, and he was an actual Roman Catholic priest who was stationed there.

The CHAIRMAN. Do you have any way of knowing, except that someone told you it was true?

Mr. BRYAN. No, I have no way.

The CHAIRMAN. In other words, you were in Russia. You took the pictures.

Mr. BRYAN. I did not take these pictures they are talking about, of the priest.

The CHAIRMAN. I am talking about the rest of the film. You were in Russia, and you took a picture of Russian churches.

Mr. BRYAN. That is right.

The CHAIRMAN. Your voice was used in the sound track.

Mr. BRYAN. That is correct.

The CHAIRMAN. When it was finally shown, it contained the voice of some alleged Catholic priest whom you had never seen, whom you had not photographed, but they told you somebody else took the picture of him. Is that right?

Mr. BRYAN. That is correct.

The CHAIRMAN. Did they tell you who took the picture?

Mr. BRYAN. I presume they did, sir. I think they said it was a Paramount photographer.

The CHAIRMAN. You are quoted here as saying there are eight thousand churches open in Russia. Did you know that to be a fact? Or is this an incorrect quotation of what you said on the sound track?

Mr. BRYAN. As far as what is on the sound track, I think we ought to get it on the record. I do not know today the exact words.

The CHAIRMAN. Do you know there were eight thousand churches open in 1947?

Mr. BRYAN. No, but I would think that would be fairly near correct.

The CHAIRMAN. Well, you are quoted as saying it. Where would you get your information?

Mr. BRYAN. It would simply be an estimate, a very crude estimate.

The CHAIRMAN. You see, the reason I question you on this: In 1947, that is what the Communists were trying to tell us, that there were complete religious freedom in Russia, that there was no racial discrimination.

Mr. BRYAN. Yes.

The CHAIRMAN. And it is rather unusual to find a man over in Russia at that particular time, when most Americans were excluded, saying he could freely take pictures. It is rather unusual when you take these pictures of churches, to find that someone dubs in the voice of some alleged priest saying, "We have complete religious freedom." The normal person would say, "Here is some excellent Communist propaganda." Is that not correct? I am not accusing you of trying to propagandize, but taking that whole product approved by the *Daily Worker*, it would certainly look like good Communist propaganda, would it not?

Mr. BRYAN. I would think it would.

The CHAIRMAN. Can you get us that film?

Mr. BRYAN. I can get the film.

The CHAIRMAN. Good. I think that should be done.

Pardon me, Mr. Counsel. Go ahead.

Mr. COHN. Mr. Bryan, you have told us here this morning that the only time you lectured—

The CHAIRMAN. May I interrupt? I think Senator Potter and Senator McClellan and the other senators may want to see the film that was banned by the schools.

Mr. BRYAN. We have the film here.

Senator McCLELLAN. May I ask a question? This particular film we have been talking about, as I understand it, is actually in two parts, although it is probably shown in one film.

Part of it you took, without knowing that Pathe would be interested in at all, as I understand.

Mr. BRYAN. That is correct.

Senator McCLELLAN. It was taken by you in the course of your own private operations?

Mr. BRYAN. That is right.

Senator McCLELLAN. Later, Pathe wanted to use that film that you had taken. They made some arrangements with you, I guess, to get the film?

Mr. BRYAN. That is correct.

Senator McCLELLAN. Then they had you supply your voice, and make a talking film out of it?

Mr. BRYAN. That is correct.

Senator McCLELLAN. Then they added to that another film that they had acquired from another source with regard to the Catholic priest and what he said?

Mr. BRYAN. That is correct,

Senator McCLELLAN. So you had nothing to do whatsoever with that, that part as to the Catholic priest?

Mr. BRYAN. That is right.

Senator McCLELLAN. They purchased from you or secured from you that film that you had taken for your own private use, and then added this other to it?

Mr. BRYAN. That is correct.

Senator McCLELLAN. And you are not responsible for whatever they added to it or what use they may have made of it?

Mr. BRYAN. That is correct.

May I modify that, sir?

If I had had great doubt when I saw this, that this was a forgery or a phony, I would have told the Pathe people. But I had no such doubt. They told me that this was taken by reputable people, and there seemed to be no doubt that this was an authentic priest.

Senator McCLELLAN. Then you did see the rest of the film?

Mr. BRYAN. I saw it.

Senator McCLELLAN. As made up completely for use?

Mr. BRYAN. That is correct.

Senator McCLELLAN. And heard the voice of the priest?

Mr. BRYAN. I obviously had no final control over Pathe News, but I didn't object to it. It seemed reasonable to me at the time.

Senator POTTER. Do I understand that you took these pictures and prepared an oration during the fall of 1946 and early 1947?

Mr. BRYAN. That is correct.

Senator POTTER. That was when the Soviet Union was still our ally. Is that true, or not?

Mr. BRYAN. Well, to my knowledge, yes. I don't think we would have been permitted in unless this was in the so called friendly period. It may have been in the beginning. They were preparing some bitter criticism.

Senator POTTER. But in other words, you were not endeavoring in your film or in your narration to be critical of the Soviet Union. Is that true?

Mr. BRYAN. Not one way or the other. I wanted to give a factual statement of the thing. But we were in no mood at that time—we were still being allies and more or less friendly, and there was no mood of, let's say, violent denunciation, either in me or in the country.

Mr. COHN. Now, Mr. Bryan, you told us here this morning that you only lectured once under the auspices of the *New Masses*, and they didn't hire you again, and that that lecture took place at a public high school, the Washington Irving high school. I want to suggest to you that that testimony was not accurate. I want to ask you whether or not you want to reconsider it.

Mr. BRYAN. Mr. Counsel, that is all I recall.

Mr. COHN. Is it not a fact that you delivered a lecture under the auspices of the *New Masses*, reported in the *Daily Worker* of May 6, 1937 and that this lecture took place at the New School for Social Research on Sunday night, May 9th?

Julien Bryan in person presents "Russia Reborn," 10,000 feet of new motion pictures of the Soviet Union as it is now. Last public appearance in New York this season. Auspices: *New Masses*. Seats on sale at New Masses, Chelsea Book Shop, and Workers Book Shop.

Of course, the Chelsea Book Shop and the Workers Book Shop were the two official book shops of the Communist party of the United States.

I would like to show you this and see whether or not that refreshes your recollection.

Mr. BRYAN. My recollection is that during this whole period of, say, '33 to '37, there was one lecture for the *New Masses*, and that there was another under the auspices of the Friends of the Soviet Union.

My guess would be conceivably that in a five-year period there might have been three such bookings by leftist groups like *New Masses* or the Friends of Soviet Russia Today.

Mr. COHN. Can you conceive of the *New Masses* booking you a lecture and selling tickets at the official book shops of the Communist party, if they had any doubts about your attitude toward the Soviet Union?

Mr. BRYAN. I never went into that particularly, any more than I questioned the Catholic seminaries. I spoke before a wide variety of groups at that time.

Mr. COHN. I think we got the point. Now, Mr. Bryan, did you conduct guided tours to the Soviet Union in behalf of an organization called Open Road, which has been listed as a Communist front?

Mr. BRYAN. Yes, sir.

Mr. COHN. You know that has been listed as a Communist front?

Mr. BRYAN. No, I did not.

Mr. COHN. This is the first you hear of that?

Mr. BRYAN. It is the first I have heard of Open Road at all—

Mr. COHN. Well, don't say it is the first time you have heard of it. You conducted guided tours under their auspices didn't you?

Mr. BRYAN. We are confusing the question. The first I heard of them being a Communist front? Was that your question?

Mr. COHN. Yes.

Mr. BRYAN. I conducted tours for the Open Road.

Mr. COHN. And you say this is the first time it has been suggested to you that the Open Road is officially listed as a Communist front?

Mr. BRYAN. Well, I assume, being as they actually were conducting tours to the Soviet Union, that they would be, but I have never seen it.

Mr. COHN. I am reading again from the *Daily Worker*, of May 1, 1937. Your name is there, together with the names of Anna Louise Strong, Joseph Lash, Julia Dorn, John Kingsbury, Dr. Joshua Kunitz, and Robert Magidoff.

Can you suggest one person there with the exception of yourself who was not a well-known member of the Communist party?

Mr. BRYAN. Mr. Counsel, I would not know.

Mr. COHN. Maybe the witness would care to examine this.

Mr. BRYAN. I know the names of most of those people. But for me to say that they are well-known members of the Communist party—I have no such evidence.

The CHAIRMAN. Will you look at the list now and tell us whether you knew then that any of those people were well-known Communists; whether you know now?

Mr. BRYAN. I have known of these people, certainly, but I have no direct evidence.

Mr. COHN. Did you know any of these people personally?

Mr. BRYAN. Yes.

Mr. COHN. Who do you know?

Mr. BRYAN. I have known—I haven't seen for many years Anna Louise Strong. But when I was on this Open Road tour—

The CHAIRMAN. Will you try and answer the question?

Counsel asked you who, of this group, you know.

Mr. BRYAN. Anna Louise Strong; Kunitz I had met, but I wouldn't say I knew him.

Mr. COHN. Under what circumstances did you meet Kunitz?

Mr. BRYAN. I think I met him on one of the tours seventeen years ago in Moscow.

Mr. COHN. All right. Who else?

Mr. BRYAN. Kingsbury I knew in the same way. Lash I never recall meeting. Julia Dorn I remember vaguely.

Mr. COHN. Is it your testimony that you had no idea that Kunitz and Anna Louise Strong were Communists, to take two of them?

Mr. BRYAN. No. I would say as far as Anna Louise Strong was concerned, I had certainly seen her name for many years in the press, and I had read her books.

The CHAIRMAN. Mr. Bryan, at the time you were associated with her, sponsoring these tours, did you then think she was a Communist, or not?

[Mr. Bryan confers with Mr. Watts.]

Mr. BRYAN. I was not associated with her, Mr. Chairman.

I had my own group. I took these people. And I may have, as I said, met her and other leaders like this at times in Moscow. As to whether she was a party member, I did not know.

The CHAIRMAN. We did not ask you whether she was a party member. Did you think she was a member of the party at that time?

Mr. BRYAN. I did not think so at that time.

The CHAIRMAN. For your information, every one of those persons listed with you as sponsoring those tours has been identified, most of them a number of times, as Communists, and some of them as espionage agents.

Mr. BRYAN. Yes?

The CHAIRMAN. You say you had no reason to believe at that time that any of them were Communists?

Mr. BRYAN. Yes. That is what I said.

The CHAIRMAN. Did you know Magidoff?

Mr. BRYAN. Yes, I knew Magidoff.

The CHAIRMAN. We just asked you to read from the list and tell us those you knew. You did not mention Magidoff.

Mr. BRYAN. I am sorry. Magidoff was the first one. I think that completes it.

The CHAIRMAN. How well did you know Magidoff?

Mr. BRYAN. I saw him a number of times in this country, I think back as early as '35, or something like that. Then I didn't see him for many years. Then in '47, he was one of our correspondents there.

The CHAIRMAN. Have you ever attended a Communist meeting?

Mr. BRYAN. I have never attended a Communist meeting to my knowledge in this country. I have attended, obviously, in the Soviet Union, if I attended any meeting, I suppose, but in this country I have not, to my knowledge.

Mr. COHN. Now, we have this fact, Mr. Bryan. Of course, this Open Road has been officially listed as a Communist front organization, and you were one of the few people who were conducting tours to the Soviet Union for this Communist front organization, and everyone of those people conducting those tours whose names were read have been identified either as Communists or espionage agents.

My next question is: Did you ever have any connection with an organization known as Intourist?

Mr. BRYAN. I had the connection with Intourist in the terms that I led a group for Open Road. Open Road was an American travel bureau.

Mr. COHN. The question was: Did you ever have any connection with Intourist?

Mr. BRYAN. My connection was through Open Road.

Mr. COHN. Did you know at the time you were connected with Intourist that that was a 100 percent Communist front organization, controlled by the Communist party?

Mr. BRYAN. I did not know it or think of it at that time.

Mr. COHN. Now, Mr. Bryan, did you, during the Hitler-Stalin pact, intercede in behalf of Hans Eisler, and protest the fact that he was not given a visa to enter the United States?

Mr. BRYAN. The answer is "yes," I did.

Mr. COHN. When did you first meet Hans Eisler?

Mr. BRYAN. I never met him.

Mr. COHN. How did you happen to intercede in his behalf?

Mr. BRYAN. I was asked to by friends.

Mr. COHN. Which friends?

Mr. BRYAN. Can we come back to this a minute? I know the chap's name very well, and I am not holding back on it.

Mr. COHN. Surely. You mean you just can't recall it?

Mr. BRYAN. Just for a second. But I mean, I am not—

Mr. COHN. I understand that, surely.

Now, I don't quite understand. Here is this man, Hans Eisler, and I think his record is very well known by this time.

Mr. BRYAN. Yes.

Mr. COHN. And you were one of two people who interceded with the American ambassador in Mexico and protested the fact that he had not been granted a visa to enter the United States. You now tell us you did not even know him. What explanation can you give us for that?

Mr. BRYAN. The explanation is that I was called up or written to, called up I think, by this friend. I was told that this was a remarkable foreign—either German or Austrian, whatever his na-

tionality is—musician or composer, and that he was being done a great injustice by not being admitted. I confess to being naive about the thing. I trusted this friend. I assumed that this was an honorable case of a person desiring legitimately admission to this country.

Senator POTTER. Was your friend a member of the Communist party?

Mr. BRYAN. I don't know.

Mr. COHN. Could you recall his name now?

Mr. BRYAN. Would you give me just a second? This doesn't happen to me very much. I will give this to you in a second.

Mr. COHN. Did you want me to keep on asking you questions?

Mr. BRYAN. Yes. And it will occur to me.

Mr. COHN. Have you ever taken any photographs for a publication known as *Soviet Russia Today*? You told us you subscribed to it.

Mr. BRYAN. No, I have never taken any photographs for them. When I came back from one of these trips, I sold some photographs to them, as I did to the *New York Times* and other American magazines.

Mr. COHN. You say you sold them some photographs. Did you ever sell any photographs to the *Daily Worker*?

Mr. BRYAN. Not to my knowledge. I am absolutely sure I never did.

The CHAIRMAN. Did you ever give them any free?

Mr. BRYAN. No, sir. Not that I know of.

Mr. COHN. Will you examine this? Mr. Bryan, do you know Clarence Hathaway, one of the top leaders of the Communist party?

Mr. BRYAN. I may have met Hathaway once, some twenty years ago. I, to my recollection, have never seen him since.

Mr. COHN. Have you ever spoken on the same platform with Clarence Hathaway?

Mr. BRYAN. I did once, in 1933, to my recollection.

Mr. COHN. Was that at a meeting entitled, "A Call to Action"?

Mr. BRYAN. I don't recall the title. It was a group of farmers, forty or fifty different farm groups, coming from all over America.

Mr. COHN. Do you know that Clarence Hathaway was head of the New York bureau of the Communist party at that time? Was he not publicly introduced as such?

Mr. BRYAN. I don't recall.

Mr. COHN. Would that have made an impression on you?

Mr. BRYAN. I think it would, if I had know that, yes.

Mr. COHN. But you say you don't recall that.

Mr. BRYAN. I don't recall.

Mr. COHN. Are you familiar with the testimony of Walter S. Steele concerning you before the House Committee on Un-American Activities?

Mr. BRYAN. Yes, I am familiar with it.

Mr. COHN. Have you read that testimony?

Mr. BRYAN. I have read the testimony.

Mr. COHN. Mr. Steele said, in essence, that your organization has rendered great service to the Communist propaganda in this movement; that it has made a number of pro-Soviet films which have been shown, as we have seen here, under the auspices of the *New*

*Masses and Soviet Russia Today*, and various other arms of the Communist party. What comment do you have to make on Mr. Steele's testimony?

Mr. BRYAN. I think Mr. Steele, testifying as to the meeting of the farmers, of, actually, 1933, twenty years ago, is not too accurate. I showed my films there of the Russian farmers, as I have already described to the committee and I believe I showed them honestly and fairly, showing that there were Russian farmers, and some of them were Russian-Americans from Pennsylvania who had gone back, and who were struggling on a collective farm. I showed the mud, the difficulty of the work, and I also showed the hard work which they were doing. This was twenty years ago.

Mr. COHN. By the way, of course, The American Legion has protested against this film, *Peoples of the Soviet Union*, has it not?

Mr. BRYAN. Where was the protest?

Mr. COHN. I am asking you whether or not it has.

Mr. BRYAN. Yes. I am a member of the Legion. It has protested to my knowledge in Peoria.

Mr. COHN. That is one place. What happened after its protest?

Mr. BRYAN. I think the thing, as far as I know, from the librarian there—I volunteered. I went back several times to Peoria to meet with the members of the Legion and the librarian. My most recent advice is that this new edition of the film is now back on the shelves of the library and being used.

Mr. COHN. Now, you brought the new edition here. Is that right?

Mr. BRYAN. Yes.

Mr. COHN. As you told us, you remade the film in recent months?

Mr. BRYAN. We have not changed one single picture.

Mr. COHN. You remade the sound track?

Mr. BRYAN. That is correct.

Mr. COHN. Were you responsible for the original sound track?

Mr. BRYAN. I was; which was made in 1945, in the period just after the war.

The CHAIRMAN. I think, Mr. Counsel, that if we are going to see the film, we should see the original film.

Mr. COHN. There is no doubt about it. We are not interested in what they have done since.

The CHAIRMAN. We will ask you to produce the original film here, not the remade one.

Mr. COHN. And I think we would also be interested in this film *Boundary Lines*, if you would bring that.

Mr. BRYAN. I would be very glad to do that.

The CHAIRMAN. Have either of these films been distributed under the sponsorship of the information program?

Mr. COHN. *Boundary Lines*, I am sure has been used by the government.

Do you know about that?

Mr. BRYAN. Yes. The government, Mr. Chairman, did not have this film made. We made it. Then several copies of this film were purchased, to my knowledge, by the information program, and were used abroad.

The CHAIRMAN. How soon can we get a copy of that? Do you have a copy of it?

Mr. BRYAN. My office is in New York.

The CHAIRMAN. Do you have copies in New York?

Mr. BRYAN. Oh, certainly. We have copies here of this new version, if you wish to see it.

The CHAIRMAN. I am surprised you did not bring along both versions. Why waste time and money to bring a man with the corrected version here?

Mr. BRYAN. I am sorry if I did wrong. The one which is now circulating in schools and colleges, which the army is using, is the new version.

The CHAIRMAN. The army is using this one now?

Mr. BRYAN. The army is using this.

Senator POTTER. I think we ought to see both.

Mr. COHN. I have read a text of the sound track of the first one.

Mr. BRYAN. We have the film here.

Senator POTTER. We could see one and read the script of the other.

The CHAIRMAN. Did the army buy the old one?

Mr. BRYAN. The army purchased, as far as I know, the old one.

The CHAIRMAN. So they used the old one and the new one?

Mr. BRYAN. As far as I know, they have used both, sir, yes.

The CHAIRMAN. We will ask that you produce the old one also. I think we should see both the old and the new. How long does this film take?

Mr. BRYAN. The film is thirty-three minutes.

Mr. COHN. Have any of your films been used by the Institute of Pacific Relations?

Mr. BRYAN. None of my films have been used by them, to my knowledge.

Mr. COHN. Is it not a fact that you have loaned your films to them for use in their activities?

Mr. BRYAN. I have no knowledge of it. I do not mean they never could have, but I have had no close contact with them.

Mr. COHN. Do you know Marguerite N. Stewart, Mrs. Maxwell S. Stewart?

Mr. BRYAN. Yes, I know Mrs. Stewart.

Mr. COHN. You know her rather well, do you not?

Mr. BRYAN. I wouldn't say very well, but I have seen her here and there over twenty years.

Mr. COHN. Do you know whether or not she is a Communist?

Mr. BRYAN. No.

Mr. COHN. Do you know whether Mr. Stewart is a Communist?

Mr. BRYAN. No.

Mr. COHN. Do you know Mr. Stewart?

Mr. BRYAN. I know Mr. Stewart.

Mr. COHN. Do you know whether Mr. Stewart invoked the Fifth Amendment privilege when called before the McCarran committee?

Mr. BRYAN. I have not heard that said.

Mr. COHN. Is it not a fact that in 1946 you loaned film for the use of the Institute of Pacific Relations and that you gave the films to them without charge?

Mr. BRYAN. To the Institute of Pacific Relations?

Mr. COHN. Yes.

Mr. BRYAN. I have no recollection.

Mr. COHN. Mr. Chairman, I have copies here of an exchange of letters between Miss Rene Gutman of the America Council of the Institute of Pacific Relations and Marguerite N. Stewart, secretary of the American Council of the Institute of Pacific Relations. Miss Gutman writes—I will ask that they both be received—to Mrs. Stewart and says that the Institute of Pacific Relations is desirous of obtaining the film *Peoples of the Soviet Union*.

A reply was received from Mrs. Stewart, which begins as follows:

Dear Rene:

I have already arranged for the loan of the film without charge by Julien Bryan . . .

and so on and so forth. Does that refresh your recollection?

Mr. BRYAN. No, it doesn't. I have no recollection of the IPR at all. It is quite possible that Mrs. Stewart telephoned at that time and wanted the loan, but it made no impression.

Mr. COHN. Right. In other words, you might not have known for what purpose she wanted it?

Mr. BRYAN. That is correct.

Mr. COHN. And you tell us you did not know that she was a member of the Communist party at that time?

Mr. BRYAN. That is correct.

Mr. COHN. You did re-do this film, *Peoples of the Soviet Union*. Do you agree that the original sound track certainly conveyed the impression of being pro-Russian propaganda?

Mr. BRYAN. I would say definitely this, sir, that the original version today, in 1953, would paint too rosy a picture. I believe that when we did it in '45, and at the period at the very end of the war, when Russia was our ally, I felt that it was all right, and we consulted with many educators and people at that time.

A year ago, when I talked to our publishers and distributors, McGraw-Hill, and they were taking over all of our films on many countries—we were not limited just to Russia, but Japan and South America and China and Italy and so on—they did not feel it was necessary to make a new version of the sound track. They were satisfied, and so were many of our customers. I myself felt—At my own expense of around \$3100, I remade this track. I am very glad we did. I think it is a more accurate film today, eight years later, since we did this revision.

Mr. COHN. Do you know Owen Lattimore?

Mr. BRYAN. I have met Owen Lattimore two or three times in my life.

Mr. COHN. Have you ever discussed any of your films on China with him?

Mr. BRYAN. I think not.

Mr. COHN. Have you ever discussed any of your films with Mr. Lattimore?

Mr. BRYAN. Not really. I had one discussion with him, when I invited him, some eight years ago, to our advisory council.

Mr. COHN. Who recommended him to you?

Mr. BRYAN. I don't recall, actually, at this time. I talked to people in New York. We wanted someone on it who was one of the best experts on the Far East.

The CHAIRMAN. May I ask: Up until what time has the armed services been using the old version of the film?

Mr. COHN. I don't know, Mr. Chairman. Maybe Mr. Bryan can tell us.

Mr. BRYAN. To be completely frank, we would have to do a check on that. I wouldn't know how many copies they had of the old version.

Mr. COHN. When is the last you heard?

Mr. BRYAN. I got a letter, from the Denver office around January 1st, and they were requesting still photographs and other materials. And I have not only given them, Mr. Chairman, copies of *Peoples of the Soviet Union*. May I say I have made repeated trips to CIA here in the last eight years at my own expense.

The CHAIRMAN. You are getting away from the question. The question is: Do you know how recently the army has used this old version of the film?

Mr. BRYAN. I do not know. All I know is that they have both versions.

The CHAIRMAN. They have used them up through January of this year. You know that.

Mr. BRYAN. That is right.

The CHAIRMAN. And that is the old version?

Mr. BRYAN. That is right.

The CHAIRMAN. But you do not know how many posts they have been showing this film at?

Mr. BRYAN. I would think a limited number. I don't know how much.

The CHAIRMAN. What other films of yours have they shown? What other films of yours has the army been using?

Mr. BRYAN. I know of no other films at the moment. I know that they have invited me, sir—

The CHAIRMAN. How about the one on China?

Mr. BRYAN. The films on China—there are three or four of them.

The CHAIRMAN. Has the army been using them?

Mr. BRYAN. I do not know.

Mr. COHN. Has any government agency been using them?

Mr. BRYAN. I don't think so.

The CHAIRMAN. I do not think we should put you to the expense of bringing a man down with a projector to show those films. The State Department will provide a projector, will they not?

Mr. COHN. They will be glad to, Mr. Chairman.

The CHAIRMAN. So as to cut down the expense to you. I do not want to bring you down here again with a lawyer. I know that costs money. If you would prefer, you can just send the films down.

Mr. BRYAN. I would rather not. I am an author. These are my things. I would rather have you question me and do anything you like about them.

The CHAIRMAN. In other words, you would rather bring them yourself?

Mr. BRYAN. I would rather do as we are doing today, if that is satisfactory to you.

The CHAIRMAN. You understand, we cannot stand the expense of having your man with the projector. If you want to do that yourself, you may. Otherwise you can merely bring the film, and we can produce the projector.

Mr. COHN. Do you have that Eisler name for us?

Mr. BRYAN. Let me describe him and tell you where he lives. He lives outside of Wilmington today, I think in Arden.

Mr. COHN. Scott Nearing?

Mr. BRYAN. No. Some of you will know, certainly. His first name is Don. Does that help?

Mr. COHN. Is he a business man?

Mr. BRYAN. He was originally for many years a teacher. He taught in some school outside of Boston.

The CHAIRMAN. How well did you know him?

Mr. BRYAN. I haven't seen him much in the last fifteen years. I met him once, in 1930, Mr. Chairman, on a boat, on one of these tours going into Finland and Sweden. We had this conducted tour type of thing.

The CHAIRMAN. Anything further, Mr. Counsel?

Mr. COHN. I don't think so, Mr. Chairman.

Mr. BRYAN. Mr. Chairman, a question?

The CHAIRMAN. Yes?

Mr. BRYAN. I have here two things. One is the film, which I would like to show, if we have time, the new edition. The other is that I have recently been in Turkey, and there is a picture, of only ten minutes, of some of the work-of-art films being shown, some of the films I have made on American democracy, which are being shown extensively abroad.

I just ask if there is time to show one of those.

The CHAIRMAN. Would it inconvenience you too much if we kept you over until this afternoon?

Mr. BRYAN. I would rather do that. We are here, and it is much better as long as we are here, Mr. Chairman.

The CHAIRMAN. Just to obviate the necessity of your running down here again, could you call anyone in your office?

They could perhaps ship those films down, put them on air express.

Mr. BRYAN. May I say this: Everything that I know of should be in the congressional library. Now, if our relations are good with the library, can we immediately ask for those?

Mr. COHN. You might contact Mr. Grenoble at the State Department. You know him, do you not?

Mr. BRYAN. I know Grenoble. Sure.

Mr. COHN. He could probably give us *Boundary Lines*.

How long a film is *Boundary Lines*?

Mr. BRYAN. Ten minutes.

Senator POTTER. There will be a lot of voting on the floor this afternoon. Would there be any reason why we could not show this in the Old Supreme Court room over there?

The CHAIRMAN. Perhaps so. We have direct current here.<sup>29</sup>

Mr. BRYAN. Apparently our operator is pretty able, and he is all fixed for that. Would you like it over at the Supreme Court?

Senator POTTER. It would be a lot handier for us.

The CHAIRMAN. Could you arrange for the old Supreme Court chambers?

Mr. BRYAN. Can it be completely dark?

<sup>29</sup> Having been wired for electricity in the 1890s, the U.S. Capitol Building continued to operate on direct rather than alternating current until 1960.

The CHAIRMAN. Yes. There are no windows.  
I would like to see the old version, the new version, the film *Boundary Lines*, and, if you can get it, the Pathe one.

Mr. BRYAN. That is the one that is tough. Who shall we ask for help on this? Grenoble?

Mr. COHN. Yes, Grenoble would be the one.

The CHAIRMAN. I am principally interested in the old and the new version of this film.

All right. That will be at three o'clock.

[Whereupon, at 12:20 p.m., the hearing was recessed, to reconvene at 3:00 p.m., in the old Supreme Court room, the Capitol.]



## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—Senator McCarthy opened the public hearing on July 1, 1953, by explaining that it was calling more authors whose works had been used in the U.S. information libraries to “perhaps clarify some of the confusion in regard to what the objectives of the information program are, and also to give the American people a better picture of the type of authors whose works were being used to fight communism allegedly.” That morning, the subcommittee had heard testimony from five authors in executive session. It excused Joseph Freeman and George Seldes from public testimony. Richard Boyer, Edwin Burgum, and Rockwell Kent testified at the public hearing that immediately followed the executive session; while Doxey Wilkerson testified in public the following day and again on September 8, 1953.

Richard O. Boyer (1903–1973) formerly a newspaper reporter for the *New York Herald Tribune* and foreign correspondent for the *New York* tabloid *PM*, had published twenty-four biographical profiles in the *New Yorker* magazine between 1931 and 1950. One of these profiles of National Maritime Union leader James Curran he expanded into a book, *The Dark Ship*. Before various congressional committees, Boyer persistently invoked the Fifth Amendment. In his obituary, the *New York Times* noted that he had privately admitted to membership in the Communist party from the 1930s until 1956.

Rockwell Kent (1882–1971), the landscape painter, wood engraver and lithographer, was also a writer, lecturer, and political activist. In 1948 he ran unsuccessfully for Congress on the American Labor party ticket. As a result of the publicity from his televised appearance before the subcommittee, the trustees of a museum in Rockland, Maine, to which he had planned to donate his unsold paintings and prints, rejected the collection in August 1953. Having fallen into disfavor in the United States for both his politics and anti-modernist artistic style, Kent eventually donated his artwork to the Soviet Union.

Edwin B. Burgum (1894–1979), president of the College Teachers Union from 1936 to 1938, was a literary critic and associate professor of English at New York University. He was called to testify before the Senate Internal Security Subcommittee on October 13, 1952, and invoked the Fifth Amendment when questioned about Communist affiliation. Suspended immediately from NYU, he was removed from the faculty in March 1953.

Joseph Freeman (1897–1965) a muckraking journalist turned literary critic, poet and novelist, had served as European correspondent for the *Chicago Tribune*, publicity director for the American Civil Liberties Union, and New York correspondent for the Soviet news service TASS, during the 1920s. He became an editor of two radical magazines, *The Liberator* and *The New Masses*, experiences which he described in an autobiography, *An American Testament; A Narrative of Rebels and Romantics* (New York: Farrar & Rinehart, 1936). Communist critics denounced that book as “romantic” and branded Freeman “an enemy of the people.” Freeman further distanced himself from the Communist party at the time of the Hitler-Stalin Pact, and later described himself to the House Un-American Activities Committee as a “man out of politics.”

George Seldes (1890–1995), as a foreign correspondent for the *Chicago Tribune* during the 1920s, had been expelled from both the Soviet Union and Italy for writings critical of the Communist and Fascist regimes. He also covered the Spanish Civil War for the *New York Post*, and published a newsletter, *In Fact*. One of his many books was *Witch Hunt: The Technique and Profits of Redbaiting* (New York: Modern Age Books, 1940).

Doxey Wilkerson (1905–1993) an African American with a doctorate from New York University, had taught at Virginia State College, Howard University and Bishop College and was faculty and curriculum director for the Jefferson School of Social Science. He served for a dozen years on the national committee of the U.S. Communist party, edited the *People's Voice* in Harlem and wrote a column for the *Daily Worker*, before resigning from the party in 1957. From 1963 to 1973 he

chaired the Education Department of Curriculum and Instruction at Yeshiva University.]

WEDNESDAY, JULY 1, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
Washington, DC.

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 9:30 a.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Present also: Dr. J. B. Matthews, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Karl Barslag, research director; Ruth Young Watt, chief clerk.

**TESTIMONY OF RICHARD O. BOYER**

The CHAIRMAN. Will you raise your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BOYER. I do.

The CHAIRMAN. Let me ask the counsel—you know the rights counsel has. Your client can consult with you anytime he cares to, and you can advise him as freely as you care to. We have a rule that counsel cannot take part in the proceedings itself.

Mr. COHN. Your full name is Richard O. Boyer?

Mr. BOYER. Yes.

Mr. COHN. What publications do you write for?

Mr. BOYER. Well, I just write—

Mr. COHN. What publications have published your articles in the last two or three years?

Mr. BOYER. The *New Yorker* published my articles.

Mr. COHN. When did one of your articles last appear in that?

Mr. BOYER. I would say about 1950.

Mr. COHN. What else?

Mr. BOYER. *Masses* and *Mainstream* and the *Daily Worker*. That is about it.

Mr. COHN. Are you the author of a book called *The Dark Ship*?<sup>30</sup>

Mr. BOYER. I am.

Mr. COHN. What year was that published?

Mr. BOYER. I think it was published in 1947.

Mr. COHN. At the time this book was published were you a member of the Communist party?

Mr. BOYER. I will assert my privilege under the Fifth Amendment on that.

Mr. COHN. Are you a member of the Communist party today?

<sup>30</sup>Richard O. Boyer, *The Dark Ship* (Boston: Little, Brown, 1947).

Mr. BOYER. I will repeat that.

Mr. COHN. Have you ever engaged in espionage?

Mr. BOYER. Of course not.

Mr. COHN. Have you ever engaged in sabotage?

Mr. BOYER. Of course not.

Mr. COHN. Have you ever consulted with Communist leaders concerning your writings?

Mr. BOYER. No, absolutely not. I don't consult with anybody except myself.

Mr. COHN. Have you ever shown any of your writings, before they were published, to Communists?

Mr. BOYER. Not that I remember.

Mr. COHN. Did you show parts of your book *The Dark Ship* to Communists?

Mr. BOYER. Of course not. It appeared in the *New Yorker* in the first place. I have never shown any of my writings.

The CHAIRMAN. Do you know whether or not members of the Communist party are bound by their membership to attempt to put forth the Communist party line?

Mr. BOYER. I'd like to consult with my attorney.

The CHAIRMAN. You can refuse to answer that if you care to.

Mr. BOYER. Well, I have tried to indicate in my previous answers to questions that have been asked me about my writings that I have always written according to my own deepest convictions and always intend to, and I don't know if that is responsive to your question or not.

Mr. COHN. Mr. Boyer, do you know Josh Lawrence?

Mr. BOYER. I think I will assert my privilege under the Fifth Amendment.

Mr. COHN. Do you know where Mr. Lawrence is today?

Mr. BOYER. I don't.

Mr. COHN. Do you know Blackie Meyers?

Mr. BOYER. I will assert my privilege under the Fifth Amendment on all questions of identity.

Mr. COHN. Do you know whether or not Blackie Meyers and/or Josh Lawrence ever engaged in espionage?

Mr. BOYER. Well, the only thing I could say to that would be my profound conviction they never did. I have no personal knowledge.

Mr. COHN. Was Blackie Meyers a member of the Communist party?

Mr. BOYER. I, on such a question, will assert my privilege under the Fifth Amendment.

Mr. COHN. In this book, *The Dark Ship*, didn't you give very high praise to Joseph Curran, president of the National Maritime Union?

Mr. BOYER. I think the book is the best evidence on that and I am not trying to fence with you on this, but the appraisal of Curran is quite a mixed thing. There is praise and criticism in there.

Mr. COHN. Is your opinion of Mr. Curran today the same as it was when you wrote the articles?

Mr. BOYER. Again I would have to have the book and the quotations to make an accurate appraisal because the estimation is quite a mixment.

Mr. COHN. Have you ever worked for the United States government in any way?

Mr. BOYER. I was in the Merchant Marines briefly during the war.

Mr. COHN. Other than that?

Mr. BOYER. No.

The CHAIRMAN. Will you report over to room 318 at 10:20. That gives you half an hour.

#### TESTIMONY OF ROCKWELL KENT

The CHAIRMAN. Mr. Kent, will you raise your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KENT. I do.

Mr. COHN. Your full name is Rockwell Kent?

Mr. KENT. It is.

Mr. COHN. You are the artist?

Mr. KENT. Yes.

Mr. COHN. Mr. Kent, are you a member of the Communist party?

Mr. KENT. I am going to avail myself of the privilege of the Fifth Amendment and, if you please, not answer that question.

The CHAIRMAN. You can assert your privilege under the Fifth Amendment.

Mr. KENT. I take it as my right.

Mr. COHN. Mr. Kent, the State Department information program is using in libraries overseas a great many of your works and publications. I want to ask you a few questions about them.

Do you receive any remuneration or compensation for that?

Mr. KENT. It is different for different books. If you will name the books I will tell you.

Mr. COHN. Oh, the *American Artists Group*, *Rockwellkentiana*, *Wilderness*, *World Famous Paintings*, etc.<sup>31</sup>

Mr. KENT. They are all out of print.

Mr. COHN. Well, when they were active?

Mr. KENT. Oh, yes. I received the author's royalties.

Mr. COHN. Did you contribute any of those royalties to the Communist party at any time?

You can confer with counsel.

The CHAIRMAN. Counsel, before the witness answers, I wish you would explain to him that he can only refuse to answer if he honestly feels an honest answer might tend to incriminate him.

Mr. KENT. I will answer that question, "No."

Mr. COHN. Have you ever given any money to the Communist party?

Mr. KENT. That is a very interesting question and I want to answer it. The answer will be at some length. It could be "yes" or "no."

Mr. COHN. We don't have too much time so could you give it as brief as possible.

<sup>31</sup>Rockwell Kent, *Rockwellkentiana: Few Words and Many Pictures* (New York: Harcourt, Brace, 1933); *World Famous Paintings* (New York: Wise & Company, 1939).

Mr. KENT. I gave it as a matter of being so damned mad at something that happened that I thought, "Where can I give that money that the people the money came from hated most?" I looked it up in the New York telephone directory and gave it to the Communist party. I took a check for \$800.00, which was the full rent on my house in the country and endorsed it and sent it to the Communist party. That is all I ever contributed.

Mr. COHN. Have you ever contributed money to any organization listed by the attorney general as subversive, such as the IWO, etc.<sup>32</sup>

Mr. KENT. I have.

Mr. COHN. Have you contributed any monies received from your works as royalties or anything like that?

Mr. KENT. That is a difficult question. I earn my living at different things.

Mr. COHN. Would this be a fair statement? The money you earned from royalties and other things you didn't keep separate, but out of the general fund you did make some contributions to some organizations listed by the attorney general.

Mr. KENT. I had rather have you put it to "causes."

The CHAIRMAN. I am curious about this other answer you started to give. You said you were so damned mad. I am curious to know what you were mad about.

Mr. KENT. I think you will like it. I love my home and I have never in my life rented a home with my things in it. I would not rent the place I love to anyone. I was in Greenland. I was there for a year and a half, and through a misunderstanding my wife—not my present wife—rented the house. I didn't know about it until I was on my way back from Greenland. I came back too soon. She was in Arizona. She had rented the house to Martha Blaine, who used to be a Washington columnist and a friend of Arthur Krock. I wrote her a polite letter and told her about the renting and stated, "I beg you to be my guest for the summer. I cannot accept money for my home." She wrote me the most insulting letter I have ever gotten in my life. I took the two checks that were still left and sent those to the Communist party. They were \$200.00 apiece. I made out my own check for the other two months and sent that to the Communist party.

Mr. COHN. Were you a member of the Communist party in 1933?

The CHAIRMAN. Before your client answers may I suggest that you instruct your client he can only refuse to answer if he feels and honestly feels, that a truthful answer might tend to incriminate him.

Mr. RYAN. I have discussed that with him.

Mr. KENT. Or might lead to a chain of questioning that would tend to be incriminating. It might be a link.

The CHAIRMAN. If you think it could in any way tend to incriminate you, you are entitled to refuse to answer. If you think the following answer might tend to incriminate you.

Mr. KENT. Senator, if I might say this, I think I know the origin of this provision under the Fifth Amendment, and I think it is ap-

<sup>32</sup>International Workers Order, Incorporated, which New York State dissolved in 1951.

plied for protection of the innocent as well as a shield for the guilty. I do in this case invoke that privilege.

The CHAIRMAN. You may invoke it, but we interpret the right if you feel a truthful answer would tend to incriminate you——

Mr. KENT. If the committee would choose to interpret it that way——

The CHAIRMAN. Mr. Kent, would you report at 10:20 at room 318.

#### TESTIMONY OF EDWIN B. BURGUM

The CHAIRMAN. Mr. Burgum, will you raise your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BURGUM. I do.

Mr. COHN. May we have your full name?

Mr. BURGUM. Edwin Berry Burgum.

Mr. COHN. B-u-r-g-u-m?

Mr. BURGUM. Yes.

Mr. COHN. What is your occupation?

Mr. BURGUM. I am a literary critic.

Mr. COHN. For what publisher?

Mr. BURGUM. Freelance.

Mr. COHN. What publications publish your articles?

Mr. BURGUM. Well, in the past there have been a great many.

Mr. COHN. Could you name some of them?

Mr. BURGUM. The *Virginia Quarterly Review*; the *Antioch Review*; the *Kenyon Review*; *Rocky Mountain Review*; the *Suwannee Review*; *Science and Society*. Those are the chief ones.

Mr. COHN. Did you ever do any work on a newspaper reviewing books?

Mr. BURGUM. Yes, I reviewed about a year for the *New York Times*.

Mr. COHN. What year was that?

Mr. BURGUM. I don't recall.

Mr. COHN. Were you a member of the Communist party at the time you were reviewing books for the *New York Times*?

Mr. BURGUM. I would like to invoke the First Amendment.

Mr. COHN. You mean the Fifth Amendment.

Mr. BURGUM. Personally, I would like to invoke the First, but I know your committee doesn't recognize that, so I will also invoke the Fifth on the ground that I don't wish to be a witness against myself.

The CHAIRMAN. On the ground you feel a truthful answer might tend to incriminate you?

Mr. BURGUM. No, as I follow the interpretation of the Fifth Amendment, in my understanding, established by the decision of the Supreme Court and by tradition and reaffirmed by authorities on constitutional law such as Osman Franco, and that is that the use of the Fifth Amendment applies to the innocent and the guilty alike and that there is no assumption of either when a person invokes the Fifth Amendment.

The CHAIRMAN. May I say that unless you feel a truthful answer would tend to incriminate you, you are ordered to answer the question.

Mr. BURGUM. I think in these times any answer, and I would certainly make a truthful answer, would tend to incriminate me. The word "incriminate" has been defined by the courts, that is to say broadly, and not in its proper definition and implication of guilt.

Mr. COHN. Mr. Burgum, have you done any teaching?

Mr. BURGUM. Oh, yes. I have been a teacher most of my life.

Mr. COHN. For how long a period of time did you teach at New York University?

Mr. BURGUM. Twenty-eight years.

Mr. COHN. When were your teaching activities there terminated?

Mr. BURGUM. I think the accurate date is 30th of March of this year.

Mr. COHN. Until March of this year?

Mr. BURGUM. I think it is the 30th of March.

Mr. COHN. Are you a member of the Communist party today?

Mr. BURGUM. I have already invoked the Fifth Amendment on that question as well as the First.

Mr. COHN. While teaching at New York University did you attend any Communist meetings with other members of the faculty?

Mr. BURGUM. I invoke the Fifth Amendment.

Mr. COHN. While teaching there did you attempt to indoctrinate students into the Communist party?

Mr. BURGUM. I can assure you my relations with my students were always correct. In fact, I leaned over backwards. I neither recruited them into the Communist party or any other organization.

The CHAIRMAN. The question was, I think, did you ever attempt to get them to join the Communist party?

Mr. BURGUM. I did not attempt to get them to join the Communist party or any other organization.

The CHAIRMAN. Did you teach them what you considered the Communist philosophy?

Mr. BURGUM. Certainly not. My field was in fiction and aesthetics and I followed in all my teachings very rigid principles that nothing should enter the course that was not stated in the announcement of the course in the catalog and that was not germane to the contents of the course.

The CHAIRMAN. It has been testified by a former member of the Communist party, a teacher, that a member of the party is under Communist discipline and has the instructions and has the duty to attempt to indoctrinate his students with the Communist philosophy at all times. Would you agree with that or disagree with that?

Mr. BURGUM. I am not in a position to pass upon the truth of that statement at all. I think it is a very common opinion.

The CHAIRMAN. Did you ever discuss with members of the Communist party the question of whether or not teachers had a duty to teach the Communist, if you call it philosophy, to their students?

Mr. BURGUM. No, I have never discussed it with any member of the Communist party.

The CHAIRMAN. Did you ever attend any Communist meetings?

Mr. BURGUM. I will invoke the Fifth Amendment, if you please.

The CHAIRMAN. Was that question ever discussed at any Communist meetings to your knowledge. I am not asking you to admit anything, but to your knowledge, at any Communist meetings was that discussed?

Mr. BURGUM. Well, I, of course, heard of the Rapp-Coudert committee many years ago and am aware of the statement to this effect made in the course of that report.

The CHAIRMAN. Let me ask you this. Did you ever hear that discussed in any Communist party meetings?

Mr. BURGUM. I invoke the Fifth Amendment for that question.

Mr. COHN. Are you the author of *The Novel and the World's Dilemma*?<sup>33</sup>

Mr. BURGUM. Yes.

Mr. COHN. Does this book follow the Communist line in any respect?

Mr. BURGUM. I would say, in my opinion, the question is not germane. In writing the book I followed principles of literary criticism.

Mr. COHN. Does the book follow the Communist line?

Mr. BURGUM. Well, my own principles of literary criticism are such that it is inconceivable that anything well-written could be said to follow the Communist line.

Mr. COHN. Now, you devote a great majority of space to authors that are Communists?

Mr. BURGUM. I don't think so.

Mr. COHN. Let's take Richard Wright. You devote more space—

Mr. BURGUM. I beg to differ. There is one article of length on Richard Wright's *Native Son*. There is a somewhat shorter article on some of his short stories.

Mr. COHN. How many other authors out of the nineteen have more than one?

Mr. BURGUM. Proust, I have two. On Wolfe, I have two. They are certainly not Communists.

Mr. COHN. Did you know Wright was a Communist?

Mr. BURGUM. At the time I wrote the articles I knew only what any well-informed citizen knows, that he had the reputation of being a Communist.

The CHAIRMAN. You mean you did not get any information through Communist channels—you didn't hear about it at a Communist meeting?

Mr. BURGUM. I have never met Richard Wright and the answer that I gave is based entirely upon my own observation.

The CHAIRMAN. I would like to have you answer the question. You did not hear that he was a Communist from any other Communists. You did not get any information to that effect at any Communist meetings. Is that correct?

Mr. BURGUM. Well, it is correct that I didn't. I would like, however, to make my answer a part of the whole attitude that I had in literary criticism and that is that the one discussed, the author, was on the basis of what he has written. It is true that an author's political opinions sometimes have certain effects on what he has written and a critic may feel that that effect in some cases is a sig-

<sup>33</sup> Edwin Berry Burgum, *The Novel and the World's Dilemma* (New York: Oxford University Press, 1947).

nificant one with the quality of literature and in other cases it may be of no particular significance at all.

The CHAIRMAN. Did you ever belong to an organization which advocated the overthrow of the government of the United States by force and violence.

Mr. BURGUM. I never belonged to any organization which, to my knowledge, advocated the overthrow of the government of the United States by force and violence.

The CHAIRMAN. Do you know the Communist party advocates its overthrow?

Mr. BURGUM. I would like to invoke the Fifth Amendment on that question.

Mr. COHN. Have you ever contributed any money to the Communist party?

Mr. BURGUM. I would like to invoke the Fifth Amendment.

Mr. COHN. Have you ever contributed any royalties you received from your writings to the Communist party?

Mr. BURGUM. I would like to invoke the Fifth Amendment.

Mr. COHN. Did you receive royalties from the sale of this book?

Mr. BURGUM. Yes.

Mr. COHN. Did you contribute any of them to the Communist party?

Mr. BURGUM. I will invoke the Fifth Amendment on that question.

Mr. COHN. Would you agree that you have praise for Hegelian and Marxist dialectics and condemnation for everything else along those lines?

Mr. BURGUM. No, I wouldn't. I doubt if you will find Hegel's name in the index, and as I remember when I made up the index myself the word Marx occurs in the text only once.

Mr. COHN. You are quite wrong about Hegel. I read the book myself last night and I found a number of references to Hegel.

Mr. BURGUM. Hegel is in the index.

The CHAIRMAN. Do you know Owen Lattimore?

Mr. BURGUM. No.

The CHAIRMAN. Reed Harris?

Mr. BURGUM. No.

The CHAIRMAN. Richard Wright?

Mr. BURGUM. No.

The CHAIRMAN. You have never met him?

Mr. BURGUM. No.

Mr. COHN. Did you ever consult with any Communists in connection with any of your writings?

Mr. BURGUM. I have never consulted with any Communists in connection with my writings.

Mr. COHN. Have you ever shown your manuscripts to any Communists?

Mr. BURGUM. I have never shown my manuscripts to any Communists.

Mr. COHN. On page 67 of the book you are talking about Thomas Mann and I quote: "Such a philosophy is dialectic, to be sure, but it is not the dynamic progressive dialectic of either Marx or Hegel." Wouldn't you say that is support of the question I asked you above?

Mr. BURGUM. It is a question of definition. I don't recall the context of the answer but it is a question of definition, and it is true that there are two forms of dialectics in the history of philosophy. One is the dialectic that goes back to Socrates and Plato and the other dialectic of Hegel and Marx. Hegel and Marx share this dialectical conception that the movement of history is a progressive one, whereas the dialectic of Plato and Socrates was associated with a statistical conception of the universe and, therefore, was couched in the terms, what we now call Aristotelian logic.

Mr. COHN. Do you consider Marxism forward and progressive?

Mr. BURGUM. I didn't make any statement to that effect. I simply said—

Mr. COHN. Do you or do you not?

Mr. BURGUM. I would claim the Fifth Amendment on that question.

The CHAIRMAN. In other words, you think it might incriminate you to answer that?

Mr. BURGUM. Well, in the present association, certainly, where these things can scarcely be discussed with philosophical calm.

The CHAIRMAN. Under our present criminal laws?

Mr. BURGUM. I am not in a position to act as the authority on our present criminal laws and I would like, therefore, to invoke the Fifth Amendment on that question.

The CHAIRMAN. You are entitled to.

Mr. COHN. This book was published in 1947. Is that right?

Mr. BURGUM. Yes.

Mr. COHN. Were you a member of the Communist party at that time?

Mr. BURGUM. I will invoke the Fifth Amendment again, if you please.

Mr. COHN. How old are you now?

Mr. BURGUM. Fifty-nine. I was born in 1894.

Mr. COHN. Where did you go to college?

Mr. BURGUM. I got my AB degree at Dartmouth in 1915; I got my AM in history at Harvard in 1917; and then after teaching four years at the University of Pittsburgh, I got a Ph.D. four years later at the University of Illinois.

Mr. COHN. When you entered Dartmouth as a freshman, were you a Communist?

Mr. BURGUM. I should like to invoke the Fifth Amendment about that question, if you please.

Mr. COHN. Do you know William Remington?

Mr. BURGUM. No.

Mr. COHN. During the time you attended Harvard, were you a member of the Communist party?

Mr. BURGUM. I should like to invoke the Fifth Amendment on that.

The CHAIRMAN. Did you pay dues to the Communist party while you were at Harvard?

Mr. BURGUM. Fifth Amendment, if you please.

The CHAIRMAN. Do you know any professors at Dartmouth who were Communists?

Mr. BURGUM. I will invoke the Fifth Amendment.

The CHAIRMAN. How about Harvard?

Mr. BURGUM. The same, if you please.

The CHAIRMAN. It is now 10:20. I wonder if we could ask you gentlemen to be over in room 318 at 10:25.

**TESTIMONY OF JOSEPH FREEMAN (ACCOMPANIED BY HIS  
COUNSEL, JOSEPH SHARFSIN)**

[Senator Karl E. Mundt, Acting Chairman]

Senator MUNDT. Will you raise your right hand and be sworn, please?

Mr. FREEMAN. Yes.

Senator MUNDT. Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FREEMAN. I do.

Senator MUNDT. Will the counsel give his name, please?

Mr. SHARFSIN. Joseph Sharfsin, 1342 Lincoln Liberty Building, Philadelphia, Pennsylvania.

Mr. COHN. Mr. Freeman, you are Joseph Freeman, the author. Is that right?

Mr. FREEMAN. That, is right.

Mr. COHN. And you wrote a book around 1936, did you not?

Mr. FREEMAN. Yes.

Mr. COHN. What was that called?

Mr. FREEMAN. *An American Testament*.<sup>34</sup>

Mr. COHN. And did you write a book in 1943, *Never Call Retreat*?<sup>35</sup>

Mr. FREEMAN. Yes.

Mr. COHN. In 1936 when you wrote *An American Testament*, were you a member of the Communist party?

Mr. FREEMAN. I was not a card-carrying member of the Communist party but I called myself a Communist in that I was editor of the *New Masses*. I want to answer this question as fully as I can. You see I came into the Communist movement the literary way, therefore, my relation with the party was a peculiar relationship.

Can I amplify this? It may save you many questions.

While I was still at college and had no political activities up to that point—I had made one political speech, campaigned for Woodrow Wilson, but the *Liberator*, the new name for the magazine called—

Senator SYMINGTON. What university did you attend?

Mr. FREEMAN. Columbia University.

The point is that I used to read this magazine and they were sympathetic to the Russian Revolution, although not Communistic in that sense, but primarily a literary magazine. They published my poetry and they invited me to join the magazine. I joined the magazine as editor and about six months later it was taken over by the Communist party. I remained editor and they said they would like me to join the party.

Senator JACKSON. The Communists took over the *Liberator*?

Mr. FREEMAN. Yes. About 1922, at the time of Lincoln's death.

<sup>34</sup> Joseph Freeman, *An American Testament; A Narrative of Rebels and Romantics* (New York: Farrar & Rinehart, 1936).

<sup>35</sup> Joseph Freeman, *Never Call Retreat* (New York: Farrar & Rinehart, 1943).

I said, "Yes." I took out a card but I never attended a unit meeting, never paid dues and my membership lapsed in 1922.

Senator JACKSON. When did it lapse?

Mr. FREEMAN. I suppose in 1922. I just never showed up to party meetings although I still wrote for the magazine. The magazine was later taken to Chicago where Earl Browder became editor. In 1926 we started—the writers and artists—the *New Masses* and I went back as one of the editors. I called myself a Communist. I stopped being a Communist in 1939. I wrote Communist articles and made speeches.

Mr. COHN. This book you wrote in 1936, do you agree that it reflects the Communist line?

Mr. FREEMAN. I thought it did, but the Communists did not. This book was attacked by the Communists. They objected to the whole thing.

Senator JACKSON. They considered you a deviationist?

Mr. FREEMAN. They said it was anti-working class, a fraud, no-good. They announced in print that I had not been a party member for many years.

Mr. COHN. In spite of that fact you remained a Communist until 1939?

Mr. FREEMAN. No, the attack came in 1939. The book appeared in 1936 and it was accepted. It was praised by the dailies—the *New York Times*, *Herald Tribune*. By dailies I mean this book got generally good reviews. It was accepted more as a social and literary history of the United States. In 1939 there was an English edition gotten out. In 1939 the Communists attacked the *London Daily Worker* for having praised the book in 1936. This is very complicated.

Senator SYMINGTON. Are you a Communist now?

Mr. FREEMAN. No, sir.

Senator SYMINGTON. When did you get out of the party?

Mr. FREEMAN. Out of the party as a party member in 1925 or 1926.

Senator SYMINGTON. When did you renounce all interest in communism?

Mr. FREEMAN. 1939. In the fall of 1939.

Senator SYMINGTON. You have had no interest in Communist relations, Communist party or communism since 1939?

Mr. FREEMAN. None whatsoever. I may talk to some. I don't know.

Senator JACKSON. Let me ask you this. I haven't read your book. What has happened is that the party line changed in 1939 and your book probably related to the anti-Fascist approach of 1936 and then when the Russian-Nazi Pact came along it made your book, as a Communist book, look a little ridiculous in light of the party line in 1939?

Mr. FREEMAN. That is one fact.

Dr. MATTHEWS. You wrote *Soviet Worker*? That appeared in 1932?<sup>36</sup>

Mr. FREEMAN. I wrote that.

<sup>36</sup> Joseph Freeman, *The Soviet Worker: An Account of the Economic, Social and Cultural Status of Labor in the U.S.S.R.* (New York: Liveright, 1932).

Dr. MATTHEWS. What was the book about? The 1936 book, *An American Testament*?

Mr. FREEMAN. It was an attempt to tell in autobiographical form the literary and social history of the United States with the impact of Europe and events like war, why so many intellectuals became Communists.

Dr. MATTHEWS. Was *Soviet Worker* pro-Communist or anti-Communist?

Mr. FREEMAN. I wrote it feeling pro-Communist. I wrote it as an objective economic study and it was accepted by economic magazines. I was a Communist when I wrote it. I called myself a Communist, believed in it.

Senator JACKSON. Were you under party discipline? If you wrote something and they said, "It doesn't conform to the party line," then would you change your manuscript?

Mr. FREEMAN. I have had occasion where I have written things against the party line and told so. I just said I was going to do nothing about it.

Dr. MATTHEWS. Did you submit your manuscripts to the Politburo?

Mr. FREEMAN. I submitted them to a friend in the Communist party, like the late Robert Minor whom I had known since I came on. Some of them didn't like it for one reason or another but it didn't prevent me from publishing it. I didn't change it.

I would like to say another thing as to how it was written. I had an offer to write this book. I was called in by two publishers, Stanley Rinehart and John Farrar, Republicans. They said, "We would like you to write an autobiography." I said, "I am pretty young. What do you want me to write about?" You must remember the early 1930's brought many writers and artists to the left, and also in 1933 Hitler's rise in Germany did influence many people here, and they said, "We would like you to write an autobiography along the lines of Walter Durant's book explaining why so many intellectuals have gone left." The idea was to do a short story. I started to write this book at their invitation. They gave me a contract. I went to the country, wrote the book for them, and it was published in 1936.

Mr. COHN. This book, *An American Testament*, would you use that book in this program of the State Department to expose communism and present a true picture of the American-way-of-life?

Mr. FREEMAN. Well, Mr. Cohn, that is a matter of opinion. I can only say two things. I could have called the book anything. I called it *An American Testament*. The reason when I went left I entered a literary movement, I did it neither for or against the United States. Proletarian literature was not invented by the Russians. Proletarian literature and this phase was invented in 1921 in the United States by a group of writers, including Upton Sinclair, Edward Markham, the man who wrote "Man With a Hoe." In fact, we looked down on Russians. We felt we in the United States had really done it.

Mr. COHN. Mr. Freeman, you never answered my question. Do you think *An American Testament* should be used by the State Department to give a true picture of the American-way-of-life?

Mr. FREEMAN. I can answer the question in this way, if you will let me. When the book was published, outside of the Communist attack, all other papers accepted it.

Mr. COHN. Do you think today, in 1953, that book should be used as part of a program to expose communism and give a true picture of the American-way-of-life?

Mr. FREEMAN. It would not hurt my feelings if you took it out. If you would give me a copy, I would appreciate it. I have no copies of the book.

Senator JACKSON. Is this book in the library?

Mr. COHN. We haven't definite word. The one written in 1943 definitely is.

Senator JACKSON. Do you have some comments on the book, *An American Testament*, by critics?

Mr. FREEMAN. For instance, the *New York Times* said: "Mr. Freeman has put together an important narrative. . . . It is indeed an American testament."

Mr. COHN. Who wrote these reviews?

Mr. FREEMAN. Ruth Thompson, the late Carl Van Doren—

Mr. COHN. What did Carl Van Doren say?

Mr. FREEMAN. "It is difficult to imagine a serious reader who, whatever special preoccupations, would not find this book absorbing as the record of a life-story, the chronicle of a generation. It is itself part of the times, and to that extent it is itself history."

Dr. MATTHEWS. Do you know Carl Van Doren?

Mr. FREEMAN. He was my teacher at Columbia University. Frankly, I didn't see very much of him after I got out of school.

Senator JACKSON. What else do you have?

Mr. FREEMAN. The *Irish Times* said—Maybe they are a Communist paper. I just got the clipping.

Senator JACKSON. From Dublin?

Mr. FREEMAN. Yes. This is an English edition. "A brilliant autobiography. This is a book which no serious student of contemporary affairs should fail to read."

Senator JACKSON. The thing I don't understand about the book, was it an ideological treatise or was it simply a book trying to give the reason why so many intellectuals went into Communist and extreme left movements?

Mr. FREEMAN. It was chiefly a story of personal events, such as I was born here; my grandparents were, etc.

Senator JACKSON. What happened to you?

Mr. FREEMAN. It is a story showing how I became a Communist. To my surprise, the Communists turned around and said, "You are not a Communist."

Mr. COHN. I think we can excuse the witness, if it is agreeable with you?

Senator MUNDT. The witness is excused.

#### TESTIMONY OF GEORGE SELDES

[Senator Stuart Symington, Acting Chairman]

Senator SYMINGTON. Will you raise your right hand, please? Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SELDES. I do.

Mr. COHN. Give us your full name?

Mr. SELDES. George H. Seldes. S-e-l-d-e-s.

Mr. COHN. Mr. Seldes, are you the author of various books? Fourteen or fifteen. Let me read you the names of some of them that the State Department is using in Overseas Information Centers. *Facts and Fascism, Freedom of the Press, Lords of the Press, People Don't Know*.<sup>37</sup>

Mr. SELDES. Yes.

Mr. COHN. Are you a member of the Communist party?

Mr. SELDES. No.

Mr. COHN. Have you ever been a member of the Communist party?

Mr. SELDES. No.

Mr. COHN. That is very interesting.

Mr. SELDES. Who said I was?

Mr. COHN. Who said you were? Has it ever been brought to your attention that anybody said you were?

Mr. SELDES. Yes, [space blank] wrote a piece saying I was a "Stalinite" and smearing me in other ways. I got very angry and went to a lawyer. He said it would cost me \$5,000 to clear this up, so I didn't do anything about it.

Mr. COHN. Has Professor Budenz ever said anything about it?

Mr. SELDES. I don't know anything about him except an article written in some magazine, probably by Wechsler or Eugene Lyons, either *Plain Talk* or *American Mercury* magazine. My files are locked up. He is quoted in one of these articles against me.

Mr. COHN. What did he say?

Mr. SELDES. I can only trust my memory. I think he said once at a meeting of some Communists at their headquarters they said they would like to have me editor of the *Daily Worker* or some paper—as editor of something.

Mr. COHN. Professor Budenz said you were under Communist discipline, did he not?

Mr. SELDES. I never read that line, and I deny it.

Mr. COHN. Do you know any Communist party members?

Mr. SELDES. Well, look, do I know them or—Well, look for instance—I want to tell you this frankly.

Senator SYMINGTON. When you talk, talk a little slower and remember it is being taken down and she will have to read it.

Mr. SELDES. I have ulcers and am sort of the nervous type.

I started a weekly newsletter with another man. His name on the letterhead was Bruce Minton. I swear I had no idea he was a Communist. He was expelled from the Communist party, I think, 1945. Before that I want to say, after I started this newsletter, I said, "We will run news in this which is not in the newspapers." That was my only purpose in running it.

I forgot—if I know any Communists? I know Bruce Minton.

Mr. COHN. One you can name is Bruce Minton?

<sup>37</sup> George Seldes, *Facts and Fascism* (New York: In Fact, Inc., 1943); *Freedom of the Press* (Indianapolis: Bobbs-Merrill, 1935); *Lords of the Press* (New York: J. Messner, 1938); *People Don't Know* (New York: Gaer Associates, 1949).

Mr. SELDES. Yes, I want to say how I happened to know that. I didn't know it until he had left my publication and was thrown out of the party.

Mr. COHN. Your answer is that you know now that Bruce Minton was a Communist, but you didn't know it at the time he worked for your publication?

Mr. SELDES. No, I didn't know it.

Dr. MATTHEWS. He was your associate editor, was he not?

Mr. SELDES. I think he was listed as associate. We were actually partners.

Dr. MATTHEWS. What is his real name?

Mr. SELDES. Richard Bransten.

Mr. COHN. Mr. Chairman, I would like to insert in the record from the report of the House Committee on Un-American Activities, 78th Congress, 2nd Session, the following quoted finding of the committee:

George Seldes has a record of subservience to the Communist party, which is unsurpassed by any other subversive agent in this Country.

Is that the first you have heard of that?

Mr. SELDES. I got the *Congressional Record*. Senator Murray sent it to me for ten years.

Mr. COHN. Mr. Seldes, I think we will get along better if you answer the questions. We are not interested in whether you got the *Congressional Record*.

Mr. SELDES. I don't want to be antagonistic, but I have to defend myself.

Mr. COHN. I want to know whether this quotation was ever brought to your attention or was my reading it the first you ever knew about it? It is the finding of the House Un-American Activities Committee, published in the *Congressional Record* and elsewhere.

Mr. SELDES. I can't say positively because there was a congressman who made a statement which I did read in the *Congressional Record*. That I have seen. Congressman Hoffman. It is either this or a similar statement.

Mr. COHN. Do you agree with that statement?

Mr. SELDES. It is not true.

Mr. COHN. Did you ever belong to the Communist cell in Connecticut?

Mr. SELDES. Positively not.

Mr. COHN. Have you ever attended Communist meetings in Connecticut?

Mr. SELDES. No, sir. I have not.

Mr. COHN. If someone said you were there, that person is lying?

Mr. SELDES. Yes.

Mr. COHN. Have you ever had any connection with the following organization: American Committee for Democratic and Intellectual Freedom?

Mr. SELDES. I don't know the names of them. My name was put down twenty, thirty, or forty times. Some of them I have had nothing to do with.

Senator SYMINGTON. Did you know you were a member of this committee?

Mr. SELDES. Once in a while I would get a letterhead with my name on something. Sometimes I would see a list. I never gave them permission to use my name. I found that my name was used by different committees.

Mr. COHN. Were you editor of *In Fact*?

Mr. SELDES. I was.

Mr. COHN. Did you know that was found to be a Communist publication?

Mr. SELDES. Not according to my statement from the Department of Justice.

[The witness handed Mr. Cohn a letter.]

Mr. COHN. This is the Department of Justice's statement. It was found by the House Committee on Un-American Activities. I am asking you, Mr. Seldes, whether or not the House Committee made an official finding that *In Fact* was a Communist publication?

Mr. SELDES. That I am not aware of.

Mr. COHN. Now, Mr. Seldes, I want to go to some of your writings. Did you write this? I quote. This is from *People Don't Know*, published in 1949, New York.

The entire world has moved to the Left-part Socialist, part Communist, part just Left. The Right, all the way from conservative to fascist, has been defeated almost everywhere. The status quo and reactionary countries, such as Italy and France, Portugal and Greece, are merely held to the Right by American money and pressure, will go Leftward when these forces diminish or cease.

Mr. SELDES. I wrote that probably. I don't have the book before me.

Senator SYMINGTON. You felt that way?

Mr. SELDES. I felt that way after my trip to Europe in 1948.

Senator SYMINGTON. You felt if we didn't continue supplying money, they would continue to go farther to the left?

Mr. SELDES. My feeling was that we should supply them.

Senator SYMINGTON. I think you may be right.

Mr. COHN. Did you write in a book entitled *Facts and Fascism*:

There is probably no greater example of mass misguidance in American history since World War I and the present Global war than the history of the million men of the American Legion and its handful of misleaders.

Mr. SELDES. Yes, I probably wrote that.

Senator SYMINGTON. Why did you say that?

Mr. SELDES. Because for many years the American Civil Liberties Union has listed the American Legion as the leading force against liberalism and civil rights in America.

Mr. COHN. Have you expressed any similar views about the Catholic Church?

Mr. SELDES. I have never attacked the Catholic Church.

Mr. COHN. Who in the Legion were you referring to? Give us a couple of names?

Mr. SELDES. I can't remember them. I knew General Smedley Butler very well. He discovered a group that was going to throw out President Roosevelt and establish a Fascism dictatorship. General Butler gave this evidence before a congressional committee. I forget the name of the committee. There was some big people from the Legion in this. I have a chapter on this in one of my books.

Mr. COHN. Did you state on Page 12:

The real Fascists of America are never named in the commercial press. It will not even hint at the fact that there are many powerful elements working against a greater democracy, against an America without discrimination, etc. and many more millions working for semi-starvation wages while the Du Pont, Ford, Hearst, Mellon and Rockefeller Empires move into the billions of dollars. I call all these elements Fascist.

Mr. SELDES. If it is in that book, I wrote it.

Mr. COHN. Do you consider these appropriate works, giving a true picture of the American-way-of-life fighting communism?

Mr. SELDES. I will answer that this way. I represented a certain view of life and think this ought to begin with other views. I am anti-Communist.

Senator SYMINGTON. When was this particular book written?

Mr. SELDES. 1943.

Senator SYMINGTON. In 1943 the Soviets were our allies. Do you feel differently now?

Mr. SELDES. Positively.

Senator SYMINGTON. Are you writing any more of this kind of stuff?

Mr. SELDES. I have written stuff of a completely opposite nature. May I explain that more fully? May I volunteer some information?

Mr. COHN. Go ahead.

Mr. SELDES. I was thrown out of Russia in 1923. When I worked for the *Chicago Tribune*—I worked for them for ten years—I accused the Russians of force and violence, of the end justifies the means, of terrorism, denial of civil liberties, and I smuggled out some news they didn't like, which was true, and was thrown out of Russia. I conducted a campaign against Moscow—against Russia for many years.

In 1936 I was sent by the *New York Post* to cover the war in Spain, and the war in Spain, I found only two countries helping—the Republic of Mexico and Russia, and because of that—and I thought the war of Spain was justified, the war against Mussolini and Hitler. The only troops were Italian and German. I felt sympathetic in their helping to save the Spanish Republic, although they didn't succeed in doing it. Well, I was sympathetic for that reason, although I objected to their methods, which never changed. Later on we were in the war. Well, then Russia was our ally. After the war was over I found that the Moscow methods were even worse than ever before and I began writing a series of articles against Moscow. The result was that many of my readers, whom I realize must have been Communists, canceled subscriptions. My magazine was thrown out of the Prague bookshops, I suppose you have heard of them, and actually it was to some part due to this Communist attack on the publication that we, had to suspend—that we went under.

Mr. COHN. We have this 1949 writing of yours which I read to you before, "The entire world has moved to the Left-part Socialist, part Communist, . . ." Let me go on.

The status quo and reactionary countries, such as Italy and France, Portugal and Greece, are merely held to the Right by American money and pressure, will go Leftward when these forces diminish or cease. Nothing is more important in history than this Leftward trend of the world. Etc.

Right above this you say people in this country don't understand Russia. It is misrepresented, lots of bad things said which are inaccurate, and so on.

Mr. SELDES. I say that about Russia? I'd like to see that. I was very anti-Russian when I wrote that.

Mr. COHN. How about this:

This volume and this author agree with Dr. George T. Robinson who said that "Never did so many know so little about so much."

Then you quote Dr. Robinson in making that remark as referring to all American's misunderstanding of Russia. You go on to say:

Curiously enough, two years later when the "preventive war" crowd was riding high and William Christian (sic) Bullitt was screaming madly for the use of the atom bomb to destroy Russian civilians—"atomize the Russians" was the battlecry—and the Churchill policy of "containment" of ideas (as well as nations) had become the paramount policy of the Truman administration, a survey made by Princeton University showed that 38,000,000 Americans of voting age "don't know at all what kind of government Russia has."

The Robinson structures can be applied not only to Russia and the Eastern nations—against which the West, and most notably the United States has hung not an iron but a newspaper curtain of suppression and silence—but also to China and all of Asia; in fact to most of the world.

Do you think that is anti-Russian?

Mr. SELDES. Well, in a way, "yes."

Mr. COHN. I would love to know how.

Mr. SELDES. I will tell you why. May I explain myself?

Mr. COHN. Yes.

Mr. SELDES. I think in fighting Russia we have to be very careful and tell exactly what the situation is there. We must not make mistakes, say things that aren't true. If they catch a great writer saying something about Russia which isn't true, you lose your point.

Mr. COHN. How do you feel about the Korean war?

Mr. SELDES. Now, I wish you could get my copies of *In Fact*.

It was the Korean war which was largely responsible for the Communist sabotaging or destroying my publication. A lot of people wrote and said, "How do you feel about the Korean War?" I replied that I was running a newspaper—news that isn't printed elsewhere—the truth. I don't express opinions except in books. The Korean war is obviously the Communist attack. The Communists are the aggressors and we are right. After that I got a lot of cancellations. I was 100 percent for the Koreans, our side of the Korean War.

Mr. COHN. When was the last issue of *In Fact* published?

Mr. SELDES. October 1950.

Dr. MATTHEWS. Have you written or published anti-Catholic books?

Mr. SELDES. I have never written what I called anti-Catholic books. One of my books was the choice of the Catholic Book of the Month Club.<sup>38</sup>

Dr. MATTHEWS. Was it on the Catholic Church?

Mr. SELDES. Yes, sir.

<sup>38</sup> George Seldes, *The Vatican: Yesterday, Today and Tomorrow* (New York: Harper & Brothers, 1934).

**TESTIMONY OF DOXEY WILKERSON (ACCOMPANIED BY HIS  
COUNSEL, JOSEPH FORER)**

[Senator Joseph R. McCarthy, Chairman]

The CHAIRMAN. Will you raise your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth so help you God?

Mr. WILKERSON. I do.

Mr. COHN. Can we have your full name?

Mr. WILKERSON. Doxey Wilkerson. W-i-l-k-e-r-s-o-n.

Mr. COHN. And you are accompanied by Mr. Joseph Forer?

Mr. WILKERSON. That is right.

Mr. COHN. Now, Mr. Wilkerson, are you the author of various books?

Mr. WILKERSON. Yes.

Mr. COHN. A number of them. Is that correct?

Mr. WILKERSON. Some, yes.

Mr. COHN. And we have been advised that some of them are in use by the State Department information program.

Have you ever worked in any capacity for the government of the United States?

Mr. WILKERSON. Yes.

Mr. COHN. In what capacity?

Mr. WILKERSON. I was research associate for the president's Advisory Committee on Education.

Mr. COHN. When was that, sir?

Mr. WILKERSON. Around 1938 or 1939, approximately.

Mr. COHN. At the time you held the post on the president's Advisory Committee on Education, were you a member of the Communist party?

Mr. WILKERSON. I refuse to answer that question under the basis of the Fifth Amendment and my privilege under the Fifth Amendment.

The CHAIRMAN. Immediately after you left the employ of the government, did you immediately announce that you were an organizer of the Communist party?

Mr. WILKERSON. That question I will refuse to answer.

Senator SYMINGTON. Wasn't it a matter of public knowledge? Wouldn't it have been in the newspapers?

Mr. WILKERSON. It may or may not have been.

Mr. COHN. What you are being asked is, didn't the newspapers carry an account to the effect that you had stated such and such and such?

Mr. WILKERSON. May I consult with counsel?

Mr. COHN. Yes.

Mr. WILKERSON. For the reasons previously stated, I refuse to answer the question.

Senator SYMINGTON. Mr. Chairman, I suggest that if that became a matter of public record, it be put in the record at this point.

Mr. COHN. Professor Wilkerson, will you list the books written by you as literary works?

Mr. WILKERSON. I wrote a book entitled *Special Problems of Negro Education*.<sup>39</sup>

Mr. COHN. That was published in 1939?

Mr. WILKERSON. Yes.

Mr. COHN. Were you a member of the Communist party at that time?

Mr. WILKERSON. That question I refuse to answer for the same reason.

Mr. COHN. Did you discuss the preparation of that manuscript with any Communists?

Mr. WILKERSON. I refuse to answer.

Mr. COHN. Were you on orders from the Communist party?

Mr. WILKERSON. That I refuse to answer.

Mr. COHN. Are you a Communist now?

Mr. WILKERSON. That question I refuse to answer.

Senator SYMINGTON. Do you believe you are a good American?

Mr. WILKERSON. Of course I do.

Senator SYMINGTON. Where were you born?

Mr. WILKERSON. Right outside the city of Excelsior Springs.

Senator SYMINGTON. You believe you are a good American and at the same time you still will not say whether or not you are a Communist?

Mr. WILKERSON. That is right.

Senator SYMINGTON. How could you be a good American if today you are a member of an organization which is dedicated to the overthrow of the United States by force and violence? Do you think you could be a good American if you were a member of such an organization? An organization dedicated to the overthrow of the government by force and violence?

Mr. WILKERSON. I don't think so.

Senator SYMINGTON. Do you know whether or not the Communist party is so dedicated?

Mr. WILKERSON. In my opinion it is not.

Senator SYMINGTON. If you knew it was so dedicated—to the overthrow of our government, by force and violence—would you belong?

Mr. WILKERSON. I would not.

Senator SYMINGTON. Then, if you are a Communist you are ignorant of that?

Mr. WILKERSON. I think I should refuse to answer that question on the grounds stated. Did I understand your question?—

Senator SYMINGTON. If you are a Communist and that is the Communist party line, you are ignorant of that fact?

Mr. WILKERSON. I stated that answer to a previous question that I would not belong to an organization which advocated the violent overthrow of our government.

Senator SYMINGTON. If you are a Communist and it can be shown to you that the Communist party is dedicated to the overthrow of this country by force and violence, if you were a Communist, would you resign from the party?

Mr. WILKERSON. Your question assumes some things.

<sup>39</sup>Doxey A. Wilkerson, *Special Problems of Negro Education*, Prepared for the Advisory Committee on Education (Washington, D.C.: Government Printing Office, 1939).

Senator SYMINGTON. I must say I can understand how a lot of people could be Communist in the Depression and later we were fighting as allies, but I don't see how a good American, if he knew the Communist party line, how anybody could believe they were good Americans and at the same time take protection of the Constitution as to membership in the party.

Mr. WILKERSON. I think I expressed the opinion that the Communist party does not advocate the overthrow of our government by force and violence.

Senator SYMINGTON. Have you ever studied communism?

Mr. WILKERSON. I have read about it.

Senator SYMINGTON. Have you ever taught history?

Mr. WILKERSON. I have taught some history.

Senator SYMINGTON. Have you ever felt that you were well up on the Communist party line as a result of your studies?

Mr. WILKERSON. I am not sure what that means.

Senator SYMINGTON. Have you gotten enough knowledge of communism to be an authority on whether or not the Communist party has as one of its ends the overthrow of the American government by force and violence?

Mr. WILKERSON. I think I have enough authority to take a position in that. I have an opinion based on my observation and studies. My opinion is that the Communist party does not advocate the overthrow of this government by force and violence.

Senator SYMINGTON. Have you ever had a card at any time in your life?

Mr. WILKERSON. For the reasons previously stated, I refuse to answer that question.

Dr. MATTHEWS. Have you ever taught at the Jefferson School of Social Science?

Mr. WILKERSON. I refuse to answer that question.

Dr. MATTHEWS. Do you teach there now?

Mr. WILKERSON. For the reasons stated, I refuse to answer.

Dr. MATTHEWS. Do you now or did you ever know Alger Hiss?

Mr. WILKERSON. For the reason stated, I refuse to answer that question.

Senator SYMINGTON. Alger Hiss has been known by a lot of people, some of them high people. Why would you be afraid to answer that question if you thought you were a good American?

Mr. WILKERSON. I don't see what that has to do with being a good American.

Senator SYMINGTON. Why do you refuse to answer the question whether you knew Alger Hiss?

Mr. WILKERSON. It seems to me that I am properly invoking my privilege not to answer that question.

Dr. MATTHEWS. Did you ever attend a Communist meeting with Alger Hiss?

Mr. WILKERSON. For the same reason I refuse to answer the question.

Dr. MATTHEWS. Do you know Owen Lattimore?

Mr. WILKERSON. For the same reason I refuse to answer the question.

Dr. MATTHEWS. Did you know that Owen Lattimore was a member of the Communist party?

Mr. WILKERSON. I refuse to answer that question for the same reason.

The CHAIRMAN. Did you ever engage in espionage?

Mr. WILKERSON. Of course not. I wouldn't.

The CHAIRMAN. Did you ever engage in sabotage?

Mr. WILKERSON. No.

The CHAIRMAN. Do you know Dean Acheson?

Mr. WILKERSON. No.

The CHAIRMAN. Did you ever meet him?

Mr. WILKERSON. I don't recall it.

Senator SYMINGTON. Did you ever meet Dwight D. Eisenhower?

Mr. WILKERSON. I don't think I ever met him.

Senator SYMINGTON. Do you have any information that would make you feel Dean Acheson was any more a Communist than John Foster Dulles?

Mr. WILKERSON. I have no information.

Senator SYMINGTON. No more about Acheson than about Dulles?

Mr. WILKERSON. I know neither of the gentlemen. All I know about them is what I read in the newspapers.

Dr. MATTHEWS. Did you ever teach at Howard University?

Mr. WILKERSON. Yes.

Dr. MATTHEWS. When did you leave Howard University?

Mr. WILKERSON. In the summer of 1943, I think it was.

Dr. MATTHEWS. Why did you leave?

Mr. WILKERSON. I resigned.

Dr. MATTHEWS. You left voluntarily?

Mr. WILKERSON. I did.

Dr. MATTHEWS. Were you a member of the Communist party at the time you were teaching at Howard University?

Mr. WILKERSON. I refuse to answer that question for the reason stated.

Senator SYMINGTON. Why do you think, commenting about this Jefferson School, that is something that you should take advantage of your rights?

Mr. WILKERSON. I believe my privilege under the Fifth Amendment also authorizes my not answering that question.

Senator SYMINGTON. Would you like to comment on what you know about that school, if anything?

Mr. WILKERSON. No, I should not.

Senator SYMINGTON. You refuse to answer whether you taught there. Is that right?

Mr. WILKERSON. That is right.

Senator SYMINGTON. Or whether you teach there now?

Mr. WILKERSON. That is right.

Mr. COHN. What do you do now?

Mr. WILKERSON. That question I refuse to answer.

Senator SYMINGTON. You mean you won't say anything about your method of making a livelihood?

Mr. COHN. I want to ask you this. Have you ever held any other position in the government other than that?

Mr. WILKERSON. I was educational specialist for the Office of Price Stabilization.

Senator SYMINGTON. I would like to get back to one point. You say you feel you are a good American; that you wouldn't belong to

an organization that was dedicated to the overthrow of the American government by force and violence. Then I would like to ask you this question. Why are you ashamed or afraid to say something about the Jefferson School or this school we were talking about? Why have you got fear or embarrassment about that?

Mr. WILKERSON. There is no embarrassment. You are asking the same question you asked before. My privilege also guarantees me the right not to explain why I invoke that amendment.

Dr. MATTHEWS. Who hired you for the Office of Price Stabilization position?

Mr. WILKERSON. Whoever is head of the educational division. I don't remember his name.

Dr. MATTHEWS. Do you recall who sponsored you for a position in the OPS?

Mr. WILKERSON. No.

The CHAIRMAN. I think that is all.

[Whereupon the hearing adjourned.]

## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—Allan Chase (1913–1993), had published three novels before his appearance before the subcommittee. He devoted his later writing to studies of health and science: *Biological Imperatives: Health, Politics and Human Survival* (1971); *Legacy of Malthus: Social Costs of the New Scientific Racism* (1977); *Magic Shots: A Human and Scientific Account of the Long and Continuing Struggle to Eradicate Infectious Disease by Vaccination* (1982); and *Truth about STD: The Old Ones—Herpes and the Other New Ones—the Primary Causes—the Available Cures* (1983). Chase was not called to testify in public.]

THURSDAY, JULY 2, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
Washington, DC.

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:00 a.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Dr. J. B. Matthews, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Karl Barslag, research director; Ruth Young Watt, chief clerk.

### TESTIMONY OF ALLAN CHASE

The CHAIRMAN. Will you raise your right hand, please? Do you solemnly swear that the testimony you are about to give in this matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CHASE. I do.

Dr. MATTHEWS. Mr. Chase, will you give your full name?

Mr. CHASE. Allan Chase.

Dr. MATTHEWS. A-l-l-a-n?

Mr. CHASE. Right.

Dr. MATTHEWS. Where do you reside?

Mr. CHASE. I reside at 725 West End Avenue, New York City.

Dr. MATTHEWS. Where were you born?

Mr. CHASE. I was born in the City of New York, Borough of Manhattan.

Dr. MATTHEWS. What is your present occupation?

Mr. CHASE. Writer.

Dr. MATTHEWS. Freelance writer?

Mr. CHASE. Freelance writer.

Dr. MATTHEWS. Have you published any books?

Mr. CHASE. Yes, I have published three books.

Dr. MATTHEWS. What are the titles?

Mr. CHASE. You have *Falange*, and *The Five Arrows*, and the third book, *Shadow of a Hero*.<sup>40</sup>

Dr. MATTHEWS. *The Five Arrows* was published in what year?

Mr. CHASE. I believe *The Five Arrows* was published in 1945.

Dr. MATTHEWS. Mr. Chase, do you believe that the FBI fakes evidence against people?

Mr. CHASE. No, sir.

Dr. MATTHEWS. You rather indicated that it did, did you not, in your novel, *The Five Arrows*?

Mr. CHASE. I am quite certain I did not, sir.

Dr. MATTHEWS. Let me read what you had to say about the crime laboratory of the FBI.

Mr. CHASE. Pardon me, sir. Was it the Federal Bureau of the Republic of Cuba or Federal Bureau of the United States of America?

Dr. MATTHEWS. Well, so far as I have been able to read your meaning, it would refer to the FBI in the United States.

Mr. CHASE. I would doubt that highly because I don't think I had anything in that book about the FBI.

Dr. MATTHEWS. You call it the FBI, but if it is your testimony that it does not refer to the United States.

Mr. CHASE. It is not my testimony. I don't know the passage you refer to, sir.

Dr. MATTHEWS. Let's go on to other matters.

Were you an official of the American Committee for Spanish Freedom?

Mr. CHASE. Yes, I was.

Dr. MATTHEWS. In what capacity?

Mr. CHASE. Secretary.

Dr. MATTHEWS. Executive secretary.

Mr. CHASE. No, as far as I know it was never anything except secretary.

Dr. MATTHEWS. Are you aware of the fact that that organization was cited as a Communist front by the attorney general?

Mr. CHASE. I am aware of the fact it was cited as a Communist front subsequent to my leaving it.

Dr. MATTHEWS. And are you aware of the fact that during the existence of the committee, I believe, the House Un-American Activities Committee wrote the committee a letter asking if the committee was un-American in any way?

Mr. Chase. A number of members of the committee, including Dr. Norman Vincent Peale and Hartman, Methodist Bishop of Boston and others, but those two I remember, answered the House Un-American Activities Committee to their satisfaction because they never investigated or corresponded further with the American Committee for Spanish Freedom.

Dr. MATTHEWS. The House Un-American Activities Committee has cited the organization as a Communist front organization?

Mr. CHASE. I have no knowledge, but if it did, it was subsequent to my leaving it.

Dr. MATTHEWS. When were you the secretary of the organization?

<sup>40</sup> Allan Chase, *Falange: The Axis Secret Army in the Americas* (New York: G. P. Putnam's Sons, 1943); *The Five Arrows* (New York: Random House, 1944); *Shadow of a Hero* (Boston: Little, Brown, 1949).

Mr. CHASE. I believe, now don't hold me to this, but I believe it was sometime in 1945.

Dr. MATTHEWS. And also 1946, were you not?

Mr. CHASE. I would doubt that very much because of one specific date I remember—12 September 1945—when my daughter was born and from there on in I have been pretty much out of everything.

Dr. MATTHEWS. Were you a member of the Communist party at that time?

Mr. CHASE. Not at that time.

Dr. MATTHEWS. Are you now?

Mr. CHASE. No.

Dr. MATTHEWS. Were you ever?

Mr. CHASE. Yes, I was.

Dr. MATTHEWS. When did you join?

Mr. CHASE. Well, I have been trying since Mr. Cohn spoke to me on the phone to pin down the exact date. I believe it was sometime in the vicinity of 1934.

Dr. MATTHEWS. How long did you remain a member of the Communist party?

Mr. CHASE. I don't think it was more than two weeks if it was that long.

Dr. MATTHEWS. Why did you quit, or were you expelled?

Mr. CHASE. I wasn't expelled. I looked and saw and said to myself, "Not me." I felt like the Rabbi who wandered into a house of burlesque in Boston without knowing what he had wandered into. I saw and heard and by the time I realized what I had gotten into, I picked up my hat and feet and ran.

Dr. MATTHEWS. Who invited you?

Mr. CHASE. I am afraid the fool who did that was a fool named Allan Chase. At the time I was twenty or twenty-one and I thought I knew all there was to know, all the answers, and no one had to tell me.

Mr. COHN. How did you go about joining? You must have known someone in the party.

Mr. CHASE. Well, frankly, the headquarters were fairly open and I walked into the headquarters in my neighborhood.

Mr. COHN. Have you ever talked with the FBI?

Mr. CHASE. About what, sir?

Mr. COHN. Your activities in the Communist movement?

Mr. CHASE. No, sir, I haven't, but I did talk to the FBI about other peoples' activities.

Mr. COHN. Did it ever occur to you that you could have information which would be valuable to them concerning the Communist movement?

Mr. CHASE. No, sir. It never did.

Mr. COHN. If you had anything of value, would you be willing to give them a full account?

Mr. CHASE. If I had anything of value to our government, I would be willing to testify.

Mr. COHN. When did you break with the Communist movement? It seems long after you left the party you were still active in a number of front organizations? Tell us with complete frankness.

Mr. CHASE. Well, we are now talking about the period close to twenty years ago when we had 20 million unemployed and a great deal of unrest. I was vitally concerned with one major issue of our times—that was the Spanish War.

Mr. COHN. Would you say sometime after the Spanish War you completely broke with the Communist movement?

Mr. CHASE. Well, I completely broke with the Communist movement when I walked out of the Communist movement.

Mr. COHN. You completely broke as far as being a member, but the record shows that long after you were active in various front organizations.

Mr. CHASE. The record shows organizations interested in Spain.

Dr. MATTHEWS. Let me ask you if you were not a sponsor of the Scientific and Cultural Conference for World Peace in March 1949?

Mr. CHASE. I don't know. I have been trying to find out about that myself. I know my name appeared on the letterhead. I don't remember how it got there. I think I was asked to sign it by—I think I was asked to join by Dr. Dahlberg who was then or subsequently president of the American Baptist Convention.

Dr. MATTHEWS. Did you repudiate your name on the list of sponsors for the Scientific and Cultural Conference for World Peace?

Mr. CHASE. It didn't last long enough.

Dr. MATTHEWS. When did it come to your attention that it was there?

Mr. CHASE. Frankly, it came to my attention in 1952.

Mr. COHN. You knew you signed up for that?

Mr. CHASE. I presume I gave permission.

Mr. COHN. You have some recollection of that?

Mr. CHASE. Yes, I do.

Dr. MATTHEWS. You knew at the time the conference was held that it was widely publicized as an instrument of the Soviet propaganda movement, did you not?

Mr. CHASE. Yes.

Dr. MATTHEWS. And you knew the publicity was very widespread.

Mr. CHASE. Yes, sir.

Dr. MATTHEWS. And you did nothing to repudiate that publicity?

Mr. CHASE. Frankly, there was no publicity about me. I am not that important that I issue press statements.

Dr. MATTHEWS. Was that Edward T. Dahlberg who enlisted you for that conference?

Mr. CHASE. No, sir. If it was for that, I know I signed something for Dr. Dahlberg on some such appeal for a peace group. The man you are referring to is the author. The man I am referring to was a Baptist minister who, as I said earlier, was either then or subsequently president of the American Baptist Convention.

Mr. COHN. When were your two books published?

Mr. CHASE. *Falange* was published in 1943 and *The Five Arrows* was published in 1944. There was a book club edition in 1945.

Mr. COHN. Do they represent your present thinking?

Mr. CHASE. I can't answer that because I haven't read those books for years.

Mr. COHN. To the best of your recollection?

Mr. CHASE. I still can't answer. I don't know every word in those books. I would have to read them before I could answer.

Dr. MATTHEWS. Are you anti-Communist at the present time?

Mr. CHASE. At the present time I am writing an anti-Communist novel.

Mr. COHN. Now, Mr. Chase you have represented the committee in coming down here. At the present time you are completing a strongly anti-Communist book.

Mr. CHASE. That is true.

Mr. COHN. And you feel if you were called in public session it would ruin the book?

Mr. CHASE. Yes.

Mr. COHN. You say that will be an anti-Communist book?

Mr. CHASE. Yes. You can have a copy.

The CHAIRMAN. I think under the circumstances we should not call this gentleman in public session. I may say that there will be no mention of the fact that you were called in executive session unless you discuss it. The testimony here will not be made public. There will be no announcement here. You are free if you care to discuss it yourself but the committee will not.

Mr. CHASE. Thank you very much, sir.

[Whereupon the hearing adjourned.]



## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—Eslanda Goode Robeson (1896–1965) married Paul Robeson in 1921, while both were students at Columbia University. She persuaded him to take a role in a Harlem YMCA production, a performance that launched his career as a stage and film actor and concert singer. She occasionally acted with him and was his business manager. She later earned a Ph.D. in anthropology and published several books. In 1946, after Paul Robeson testified before the House Un-American Activities Committee, he was blacklisted and boycotted as a performer in the United States. The Robesons then spent most of their time abroad, while he performed in Europe and the Soviet Union. Eslanda Robeson testified in public session later that morning.

Arnaud d'Usseau (1916–1990) also testified in public that morning. A Hollywood scriptwriter since the 1930s, he had collaborated with James Gow on a series of plays, *Tomorrow the World* (1943), *Deep Are the Roots* (1945) and *The Legend of Sarah* (1950). After d'Usseau took the Fifth Amendment in his testimony before the subcommittee, he was blacklisted in Hollywood and moved to Europe, where he continued to write screenplays under pseudonyms. He later returned to New York to teach writing at New York University and at the School of Visual Arts.

Leo Huberman (1903–1968) began his career as a school teacher, and in 1932 published a popular children's history textbook, *We the People*. He later studied at the London School of Economics and became labor editor for the New York tabloid *PM*. Together with Paul Sweezy, he founded the Socialist magazine *Monthly Review* in 1949, and the *Monthly Review Press* in 1952. Huberman testified at a public hearing on July 14, 1953.]

TUESDAY, JULY 7, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:00 a.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Stuart Symington, Democrat, Missouri.

Present also: J. B. Matthews, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Karl Barslag, research director; Ruth Young Watt, chief clerk.

### TESTIMONY OF ESLANDA GOODE ROBESON (ACCOMPANIED BY HER COUNSEL, MILTON H. FRIEDMAN)

The CHAIRMAN. Will you raise your right hand, please?

Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ROBESON. I do.

Mr. COHN. Give us your full name.

Mrs. ROBESON. Eslanda Cardozo Goode Robeson.

Mr. COHN. You are the wife of Paul Robeson. Is that correct?

Mrs. ROBESON. I am.

Mr. COHN. Mrs. Robeson, are you the author of a book entitled *African Journey*?<sup>41</sup>

Mrs. ROBESON. I am.

Mr. COHN. Are you also the author of a book which is a biography of your husband?

Mrs. ROBESON. Yes, *Paul Robeson, Negro*.<sup>42</sup>

Mr. COHN. Now, Mrs. Robeson, are you a member of the Communist party?

Mrs. ROBESON. Under the protection afforded me by the Fifth and Fifteenth Amendments, I decline to answer.

Mr. COHN. The Fifteenth?

Mrs. ROBESON. Yes, the Fifteenth. I am Negro you know. I have been brought up to seek protection under the Fifteenth Amendment as a Negro.

The CHAIRMAN. You have a right to refuse to answer if you think a truthful answer will tend to incriminate you. That is the only right under which you can refuse to answer. If you feel a truthful answer will tend to incriminate you, you may refuse to answer.

Do you feel the answer will tend to incriminate you?

Mrs. ROBESON. May I consult counsel?

The CHAIRMAN. At any time you care to.

Do you want to answer that Mrs. Robeson?

Mrs. ROBESON. Would you say the question again, please?

The CHAIRMAN. You, I believe, made the statement that you are refusing to answer under the Fifth and the Fifteenth Amendments. The Fifteenth Amendment has nothing to do with it. That provides the right to vote.

Mrs. ROBESON. I understand it has something to do with my being a Negro and I have always sought protection under it.

The CHAIRMAN. Negro or white, Protestant or Jews, we are all American citizens here and you will answer the question as such.

The question is: Are you a Communist today? If you feel the answer will tend to incriminate you, you can refuse to answer.

That is the only ground under which you can refuse to answer.

Mrs. ROBESON. What confuses me a little about what you said—you see I am a second-class citizen in this country and, therefore, feel the need of the Fifteenth. That is the reason I use it. I am not quite equal to the rest of the white people.

The CHAIRMAN. Do you feel if you tell us the truth, a truthful answer would tend to incriminate you?

Mrs. ROBESON. Under the protection of the Fifth and Fifteenth Amendment, if I can use it, I refuse to answer.

The CHAIRMAN. The question is: Do you feel a truthful answer would tend to incriminate you?

Mrs. ROBESON. I thought I had already.

The CHAIRMAN. You are being ordered to answer whether you feel a truthful answer will tend to incriminate you.

Mrs. ROBESON. Under the Fifth and the Fifteenth Amendments, I refuse to answer.

The CHAIRMAN. You are ordered to answer.

<sup>41</sup> Eslanda Goode Robeson, *African Journey* (New York: John Day, 1945).

<sup>42</sup> Eslanda Goode Robeson, *Paul Robeson, Negro* (New York: Harper & Brothers, 1930).

Mrs. ROBESON. I will have to consult my lawyer. I don't understand this.

Now, once more, may I have the question?

The CHAIRMAN. The question is: Do you feel that your answer, if your answer is a truthful answer, that might tend to incriminate you?

Mrs. ROBESON. I would not consider any other answer except the truth. I would certainly not be bothered with any untruthful answer.

The CHAIRMAN. I am going to make you answer that. We ask certain questions and if you feel the answer might tend to incriminate you, you are allowed to refuse to answer. Before granting you that privilege or right of refusing to answer, we must know from you very simply whether you feel a truthful answer might tend to incriminate you.

Mrs. ROBESON. I do not understand the truthful part. Certainly the answer would be truthful. Under any circumstances whatsoever it would be truthful. That is the reason you are confusing me.

The CHAIRMAN. The question is: Do you feel a truthful answer to the question of whether or not you are a Communist today would tend to incriminate you? You are ordered to answer that question.

Mrs. ROBESON. Under the protection of the Fifth and Fifteenth Amendments, I refuse to answer this.

The CHAIRMAN. The counsel is informed I am asking the full committee to cite the witness for contempt. She has refused to give us information and taken refuge under the Fifteenth Amendment—

Mr. FRIEDMAN. The witness wants to answer the question. She thought she had answered it.

Mrs. ROBESON. Would you just tell me now what the question is? You see the truthful part confused me. I am under oath.

The CHAIRMAN. Just for your benefit you are not entitled to refuse to answer if perjury might incriminate you. That is why you are asked the question whether or not you feel a truthful answer might tend to incriminate you.

Mrs. ROBESON. Well, my answer is "yes."

[At this point, Senator Symington took over as acting chairman.]

Mr. COHN. Mrs. Robeson, have you ever contributed royalties received from your writings to the Communist party?

Mrs. ROBESON. May I consult counsel?

Mr. SCHINE. Mrs. Robeson, did you write this book all by yourself?

Mrs. ROBESON. All by myself.

Mr. SCHINE. This *African Journey*?

Mrs. ROBESON. Well, I don't quite understand that question.

Mr. SCHINE. Did you receive help on this book?

Mrs. ROBESON. Well, I really think that is a very insulting question. I am quite capable of writing a book. I did write this book all by myself.

Mr. COHN. Did you refuse to answer that question concerning money to the Communist party from royalties?

Mrs. ROBESON. I did.

Mr. COHN. Have you ever engaged in sabotage or espionage, Mrs. Robeson?

Mrs. ROBESON. I don't know what sabotage and espionage are.

Mr. COHN. Have you ever engaged in any illegal acts against the United States?

Mrs. ROBESON. Not to my knowledge.

Mr. COHN. Have you ever taught or advocated the Communist party?

Mrs. ROBESON. I have never taught anywhere at any time.

Mr. COHN. Do you believe in the overthrow of the government of the United States by force and violence under any circumstances?

Mrs. ROBESON. Under no circumstances whatsoever.

Mr. COHN. Have you ever heard that the overthrow of this government of the United States was taught or advocated at any Communist party meeting?

Mrs. ROBESON. Well. I have never heard it advocated at all anywhere and I don't believe it.

Senator SYMINGTON. Have you ever been a member of the Communist party?

Mrs. ROBESON. Under the protection of the Fifth and Fifteenth Amendments, I refuse to answer.

Senator SYMINGTON. Are you a member now of the Communist party?

Mrs. ROBESON. Under protection of the Fifth and Fifteenth Amendment, I refuse to answer.

Senator SYMINGTON. Do you think you are a good American?

Mrs. ROBESON. I know I am.

Senator SYMINGTON. You couldn't be a good American and at the same time dedicated to the overthrow of the government by force and violence?

In other words, you say you are a good American. You couldn't be a good American and still belong to an organization dedicated to the overthrow of our government by force and violence.

Mrs. ROBESON. I know I am a good American.

Senator SYMINGTON. Do you know the Communist party is dedicated to the overthrow of the government of the United States by force and violence?

Mrs. ROBESON. I don't know anything at all about the Communist party except what I read in the papers or hearsay and I would not dream of making a statement here from what I read in books.

Senator SYMINGTON. You don't know anything about the Communist party and yet you refuse to answer whether or not you are a member of the Communist party?

Mrs. ROBESON. You mean I could perhaps in a faint or something or when I was unconscious—

Senator SYMINGTON. I am asking you.

Mrs. ROBESON. I only know what I hear, what I read, etc.

Senator SYMINGTON. You only know what you hear and read and you refuse to answer whether or not you are a member of the Communist party—whether you ever have been or whether you are a member now.

Mrs. ROBESON. I do.

Mr. COHN. Mr. Counsel, will you have the witness in room 318 at 10:30 sharp.

Mr. FRIEDMAN. Yes.

**TESTIMONY OF ARNAUD d'USSEAU (ACCOMPANIED BY HIS COUNSEL, ROYAL W. FRANCE)**

Senator SYMINGTON. Will you raise your right hand, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. d'USSEAU. I do.

Mr. COHN. Give us your full name, please?

Mr. d'USSEAU. Arnaud d'Usseau.

Mr. COHN. Spell that, please?

Mr. d'USSEAU. d-'U-s-s-e-a-u

Mr. COHN. You are the author of certain books. Is that right?

Mr. d'USSEAU. No, that is not right.

Mr. COHN. Are you the author of plays printed in book form?

Mr. d'USSEAU. I am.

May I ask why I have been called down here?<sup>43</sup>

Mr. COHN. Sure.

Mr. d'USSEAU. Why?

Mr. COHN. You have been called down here because some of your works were purchased with the taxpayers' money and used overseas by the State Department.

Mr. d'USSEAU. Why do you make a separation for me? I am a taxpayer too. I have been paying taxes a long time.

Mr. COHN. I will try to make a point now.

Mr. d'USSEAU. I see you people make a separation.

Mr. COHN. Identify your counsel.

Mr. FRANCE. R. W. France of New York City.

Mr. COHN. Are you the author of *Deep Roots*?<sup>44</sup>

Mr. d'USSEAU. I am co-author.

Mr. COHN. Who is the other co-author?

Mr. d'USSEAU. James Gow.

Mr. COHN. Are you a member of the Communist party?

Mr. d'USSEAU. You know I am going to take the Fifth Amendment on that.

Mr. COHN. On what grounds do you refuse to answer?

Mr. d'USSEAU. On the grounds given me by the Constitution.

Mr. COHN. Do you refuse to answer on the grounds that a truthful answer might tend to incriminate you?

Mr. d'USSEAU. If you want to put it that way you can.

Mr. COHN. I am not putting it. That is the one ground on which you can refuse to answer—properly use the Fifth Amendment.

Were you a member of the Communist party at the time you wrote *Deep Are the Roots*?

Mr. d'USSEAU. My answer is the same.

Mr. COHN. How about James Gow, the co-author, was he a member of the Communist party?

<sup>43</sup> Arnold d'Usseau had originally been subpoenaed to appear at the Federal Building in Foley Square, but when he and his attorney arrived there on July 3, they were informed that the hearings had been postponed and relocated to Washington. Royal W. France to Roy Cohn, July 4, 1953, Records of the Permanent Subcommittee on Investigations, RG 46, National Archives and Records Administration.

<sup>44</sup> Arnaud d'Usseau and James Gow, *Deep Are the Roots* (New York: Scribner's, 1946)

Mr. d'USSEAU. He is dead.

Mr. COHN. Was he a member of the Communist party?

Mr. d'USSEAU. Fifth Amendment. Do you want me to dig him up and ask him?

Mr. COHN. Mr. Witness, please answer the questions.

Did you contribute any money at any time to the Communist party?

Mr. d'USSEAU. Fifth Amendment.

Mr. COHN. Were any royalties received from the sale of your plays in any form contributed to the Communist party?

Mr. d'USSEAU. Fifth Amendment.

Mr. COHN. Did you submit your manuscripts to anybody in the Communist party?

Mr. d'USSEAU. You know I am down here voluntarily.

Senator SYMINGTON. You mean that you wouldn't be down here if you didn't want to come down here?

Mr. d'USSEAU. You served me with a subpoena, yes, but it was very irregularly served. It was served to me Wednesday. I went to Foley Square Wednesday.

Senator SYMINGTON. But you are here?

Mr. d'USSEAU. Voluntarily.

Senator SYMINGTON. And you came down here willing to answer questions?

Mr. d'USSEAU. Questions that I choose to answer.

Senator SYMINGTON. And questions you don't want to answer you will take the Fifth Amendment?

Mr. COHN. Mr. Counsel, the chairman directs that the witness be in room 318 at 10:30 a.m.

**TESTIMONY OF LEO HUBERMAN (ACCOMPANIED BY HIS  
COUNSEL, R. LAWRENCE SIEGEL)**

Senator SYMINGTON. Will you raise your right hand, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HUBERMAN. I do.

Mr. COHN. Have you ever been a member of the Communist party?

Mr. HUBERMAN. I have never been a member of the Communist party.

Mr. COHN. Have you ever been a Communist?

Mr. HUBERMAN. What does that mean?

Mr. COHN. What does it mean to you, sir?

Mr. HUBERMAN. Well, if you mean by a Communist one who believes in socialism, I do believe in socialism.

Mr. COHN. You believe in socialism?

Mr. HUBERMAN. I do, sir.

Mr. COHN. Do you think works written by you should be used, purchased with the taxpayers' money and used in overseas information centers, the purpose of which is to give a true picture of our form of government to the people in Europe.

Mr. HUBERMAN. I say frankly, "yes." I think that my responsibility as an author means that before I submit the final draft of a manuscript to a publisher, I must be content that it is true; that it is accurate; that it is sound scholarship and still is right. Once

I have done that I stand behind the book, and at the risk of being immodest, if I can say that about a book, it is a good book.

Mr. COHN. I am not questioning that for one moment. This isn't a library. This is a specialized program to show our way of life to people overseas. You have told us frankly that you believe in a different form of government. I am asking you about this particular program.

Senator SYMINGTON. You say you are a Socialist?

Mr. HUBERMAN. That is right,

Senator SYMINGTON. What is that?

Mr. HUBERMAN. Socialism is common ownership of means of production and planned economy.

Senator SYMINGTON. And elimination of all private property?

Mr. HUBERMAN. Not all private property but in means of production.

Senator SYMINGTON. What do you think of the Korean War? Do you think it is our fault or the fault of the Communists? Who do you think is the aggressor?

Mr. HUBERMAN. I think, sir, that my feeling on that—We have written of that frequently in our magazine.

Senator SYMINGTON. I haven't read what you wrote. I am asking you now what you think.

Mr. HUBERMAN. May I consult counsel?

Senator SYMINGTON. Pardon me. What is your name?

Mr. SIEGAL. My name is R. Lawrence Siegal.

Senator SYMINGTON. You are the lawyer for this gentleman?

Mr. SIEGAL. Yes. May I ask a question, Senator? May I consult with the witness?

Senator SYMINGTON. Only at his request.

What is the answer?

Mr. HUBERMAN. I was going to say that as I understand it, this hearing has to do with—

Senator SYMINGTON. I asked a question and I would like to get an answer. Who do you think was the aggressor in Korea? I am trying to find out what he means by "Socialist"—whether he is really a Communist or a Socialist.

Mr. HUBERMAN. I have answered the question of whether or not I am a Communist.

Senator SYMINGTON. Who is the aggressor in Korea?

Mr. HUBERMAN. I say it is not a simple question to answer.

Senator SYMINGTON. All right, we will take that as an answer.

Mr. COHN. Under what circumstances did you leave the National Maritime Union?

Mr. HUBERMAN. I resigned in 1945 or 1946.

Mr. COHN. Did you resign voluntarily or was your resignation requested?

Mr. HUBERMAN. Voluntarily.

Mr. COHN. Was there any discussion as to whether or not you were a Communist?

Mr. HUBERMAN. I don't remember any, sir.

Mr. COHN. Do you know Joseph Curran?

Mr. HUBERMAN. Very well.

Mr. COHN. Did you not have any such discussions with him?

Mr. HUBERMAN. I don't remember any, sir.

Mr. COHN. You don't remember any discussions with Mr. Curran prior to your resignation?

Mr. HUBERMAN. We had many.

Mr. COHN. Did they center around allegations that you were a Communist?

Mr. HUBERMAN. Absolutely not, to my knowledge.

Mr. COHN. Did he ever indicate that the views to which you adhered were harmful to the policy of the union?

Mr. HUBERMAN. We had a disagreement about the education program among other things.

Mr. COHN. Did he accuse you of trying to inject socialism and communism in the education program?

Mr. HUBERMAN. Frankly, I don't recall any of that.

Mr. COHN. Wouldn't you recall that?

Mr. HUBERMAN. That was a long time ago.

Mr. COHN. Would you report to room 318, please, right away.  
[Whereupon the hearing adjourned.]

## STATE DEPARTMENT INFORMATION SERVICE—INFORMATION CENTERS

[EDITOR'S NOTE.—Harvey O'Connor (1897–1987) worked in the logging camps of the Northwest and in 1918 became editor of the *Seattle Daily Call*, a Socialist newspaper. During Seattle's general strike in 1919, he was arrested for "publishing matter tending to incite a breach of the peace," although the charges were later dropped. He then reported for the Federation Press, a labor news service, edited the *Locomotive Engineers Journal*, and published several muckraking exposés. From 1945 to 1948 he was publicity director for the Oil Workers International Union.

O'Connor testified in public session later on July 14. Away from the subcommittee he denied having been a Communist, but he refused to answer any questions, citing his rights under the First Amendment's guarantees of freedom of speech and of the press, rather than the Fifth Amendment. O'Connor described himself as "an innocent bystander caught in a brawl" between Senator McCarthy and the State Department.

In October 1953, a federal grand jury in Washington indicted him for contempt of Congress, and on November 18, 1953, he was convicted, fined \$500, and given a one-year suspended sentence. The Appellate Court later reversed the sentence.]

TUESDAY, JULY 14, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:00 a.m., in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator Charles E. Potter, Republican, Michigan.

Present also: Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Karl Barslag, research director; Daniel G. Buckley, assistant counsel; Ruth Young Watt, chief clerk.

### TESTIMONY OF HARVEY O'CONNOR (ACCOMPANIED BY HIS COUNSEL, LEONARD B. BOUDIN)

The CHAIRMAN. Will you raise your right hand?

Mr. O'CONNOR. Mr. Chairman, before taking the oath under protest, may I state my objection to the committee's jurisdiction?

The CHAIRMAN. Yes.

Mr. O'CONNOR. I would like to state my objection, first, under the First Amendment to the Constitution. The committee has no authority to look into my books or political beliefs, and if my writings have violated any laws, that is the proper subject for the law enforcement agencies and this committee is not a law enforcement agency.

My second objection is under the constitutional limitations and under the powers of Congress and the committee—my books and

writings and political views are of no legitimate concern to the committee.

My third point, under statutes creating the committee, my writings and political views are of no legitimate concern to the committee.

The CHAIRMAN. Then will you stand and take the oath?

Mr. O'CONNOR. Under protest.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. O'CONNOR. I do.

Mr. COHN. Will counsel identify himself?

Mr. O'CONNOR. Leonard B. Boudin.

Mr. COHN. Mr. O'Connor, you have written certain books. Is that correct?

Mr. O'CONNOR. That is correct but I object to the question on the grounds I mentioned.

Mr. COHN. Pardon me?

Mr. O'CONNOR. I object to the question on the grounds mentioned.

The CHAIRMAN. Has it been established that Mr. O'Connor's books are being used in the information centers?

Mr. SCHINE. Yes, it has.

Mr. COHN. Which books?

Mr. SCHINE. We have a few here. *The Astors*, *The Guggenheims*, and *The History of the Oil Workers*.<sup>45</sup>

Mr. COHN. Are you the author of these three books?

Mr. O'CONNOR. I am the author but I object to the question on the ground I have already stated. It is not the proper concern of this committee.

Mr. COHN. At the time you wrote these books were you a member of the Communist party?

The CHAIRMAN. You will be entitled to refuse to answer the question only if you feel a truthful answer might tend to incriminate you. That is the only ground under which you can refuse to answer the question.

Mr. O'CONNOR. I feel that a truthful answer will not incriminate me.

The CHAIRMAN. Then you will answer the question.

Mr. O'CONNOR. I have answered the question.

Mr. COHN. When you wrote these books, were you a member of the Communist party?

Mr. O'CONNOR. I object to the question on the three grounds already stated.

The CHAIRMAN. You are ordered to answer the question.

Mr. O'CONNOR. I decline. How many ways do I have to phrase the damn thing?

The CHAIRMAN. You are ordered to answer the question.

Mr. O'CONNOR. I decline to answer.

<sup>45</sup>Harvey O'Connor, *The Astors* (A.A. Knopf, 1941); *The Guggenheims: The Making of an American Dynasty* (New York: Covici Friede, 1937); *History of the Oil Workers International Union*, CIO (Denver: Oil Workers International Union, 1950).

The CHAIRMAN. You may step down. You will stay under subpoena and remain here. Not only that, I will ask the committee to cite your client for contempt.

Mr. BOUDIN. You understand that his answer was not based on self-incrimination. It was based on the grounds he stated.

The CHAIRMAN. I just wanted to make sure you understood the grounds.

Mr. BOUDIN. It may be the witness wants to add one more statement.

The CHAIRMAN. You may step down.

Mr. BOUDIN. I thought the witness might want to make a statement to you in further explanation of his privilege.

The CHAIRMAN. We will hear no statement from him.

[Whereupon the hearing adjourned.]



## STATE DEPARTMENT TEACHER-STUDENT EXCHANGE PROGRAM

[EDITOR'S NOTE.—Naphtali Lewis was a professor of classical studies at the City University of New York, teaching also at Columbia, Yale, and Boston universities. He specialized in deciphering and interpreting the oldest Greek manuscripts, called papyri, and was president of the International Association of Papyrologists. In April 1953, Lewis received a U.S. Educational Exchange Award, or Fulbright scholarship, to study ancient manuscripts in Florence. He testified in public session on June 10, and again with his wife, Helen Lewis, on June 19, 1953.

During their public testimony, Helen Lewis invoked the Fifth Amendment, after which Senator McCarthy announced: "Dr. Lewis, we have just been notified by the State Department that your job in Italy has been canceled; that you are not being sent there. I think that is an excellent idea." In a written statement that he filed with the committee, Professor Lewis asserted: "Senator McCarthy has not inquired concerning my qualification as a scholar for a scholarly assignment. He appears to be interested in my Fulbright award only to the extent of inquiring into my political opinions and, what is even more astonishing, into my wife's politics, past as well as present. This inquisition, if it has its way, establishes a novel and singularly un-American principle; namely, that before a man is permitted to pursue a career of research—even in ancient manuscripts—he must have the stamp of approval of a congressional subcommittee on himself and his family."]

WEDNESDAY MAY 20, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 3:00 p.m. in the Office of the Secretary of the Senate, Senator Henry M. Jackson presiding.

Present: Senator Charles E. Potter, Republican, Michigan; Senator Henry M. Jackson, Democrat, Washington.

Present also: Roy M. Cohn, chief counsel; Ruth Young Watt, chief clerk; Mason Drury, Senate liaison officer, State Department.

### TESTIMONY OF NAPHTALI LEWIS

Senator JACKSON. Will you rise and be sworn, please?

Raise your right hand.

Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth so help you God?

Mr. LEWIS. I do.

Mr. COHN. Would you give us your full name?

Mr. LEWIS. My full name is Naphtali Lewis.

Mr. COHN. How do you spell that first name?

Mr. LEWIS. N-a-p-h-t-a-l-i.

Mr. COHN. Mr. Lewis, have you ever been a Communist?

Mr. LEWIS. Well, you are barking up the wrong tree, mister. The answer is "no."

Senator JACKSON. Before we proceed any further, you understand you have a right to counsel if you so desire.

Mr. LEWIS. Mr. Cohn explained that to me.

Senator JACKSON. I just wanted to make the record clear.

Mr. LEWIS. But since no one indicated, in summoning me here, that I was to be accused of anything, it never occurred to me.

Senator JACKSON. Do you desire to have counsel?

Mr. LEWIS. I don't think I need one, no, sir. I have nothing but simple answers to simple questions, if that is all that is involved. Now, I am not a lawyer, and if we get into legalities——

Senator JACKSON. You may want to reserve the right?

Mr. LEWIS. I hope you will inform me of what my rights are, and so on.

Senator JACKSON. You understand that you have the right to refuse to answer any question if, in answering that question it may tend to incriminate you. That means that it may cause you to be a witness against yourself. Even though that tendency is slight, you have the right under the Fifth Amendment to refuse to answer if you conscientiously believe, if you believe in conscience, that to answer the question would tend to incriminate you, not in itself incriminate you, but tend to incriminate you. In that case, you have the right to refuse to answer.

Mr. LEWIS. I understand.

Mr. COHN. Your testimony is that you have never been a Communist?

Mr. LEWIS. That is right.

Mr. COHN. Have you ever attended a Communist meeting?

Mr. LEWIS. Certainly not to my knowledge.

Mr. COHN. Are you at Brooklyn College?

Mr. LEWIS. That is correct.

Mr. COHN. Do you know someone named David McKelvy White?

Mr. LEWIS. No, sir, I do not.

Mr. COHN. Do you know Alex Novikov?

Mr. LEWIS. Now, that is a name that I do know. Alex Novikov was at Brooklyn College in the biology department. I knew him slightly, but he has for a long time now not been in New York.

Mr. COHN. Have you ever attended a meeting with him?

Mr. LEWIS. A meeting?

Mr. COHN. Yes, any kind of a meeting other than one connected with your official activities at Brooklyn College.

Mr. LEWIS. My best recollection is "no." I mean it would surprise me if I had. I just don't recall.

Senator JACKSON. You do not have any recollection as of now?

Mr. LEWIS. I don't have any recollection of having attended a meeting.

Senator JACKSON. Where he was present?

Mr. LEWIS. Where he was present. Well, now, wait a moment. If you mean where he was present in a large gathering of five hundred people or so, I can't answer for that.

You mean where he was present to my knowledge?

Senator JACKSON. Yes.

Mr. LEWIS. Where he was present to my knowledge. Unless it was some kind of social meeting, the answer is "no."

Mr. COHN. Do you know anyone named Albaum?

Mr. LEWIS. Yes, he is a member of the biology department now.

Mr. COHN. How well do you know him?

Mr. LEWIS. I know him as a colleague.

Mr. COHN. Have you ever attended any meeting with him?

Mr. LEWIS. Not that I can recall, no.

Mr. COHN. Do you know whether or not he is a Communist?

Mr. LEWIS. No, I would not know.

Mr. COHN. Do you know of any Communists at Brooklyn College?

Mr. LEWIS. By the way, I could amend my answer on Albaum to say I have read in the paper about his testimony.

Mr. COHN. What did you read concerning his testimony?

Mr. LEWIS. Well, he testified some months ago that he had been a Communist.

Mr. COHN. That was the first you knew of it?

Mr. LEWIS. This was all I know about Mr. Albaum's communism or anybody's. I have no direct knowledge of Communist activity or membership, since I have not been one myself and have not associated with such people, to my knowledge.

Mr. COHN. Do you know Irving Goldman?

Mr. LEWIS. Who?

Mr. COHN. Irving Goldman.

Mr. LEWIS. I don't know him, though I know who he is.

Mr. COHN. Do you know Charlotte Robinson?

Mr. LEWIS. Yes. Her name is now Charlotte Jenkins.

Mr. COHN. That is right.

Mr. LEWIS. She works in the registrar's office.

Mr. COHN. How well do you know her?

Mr. LEWIS. Again, only as a person who works for the college.

Mr. COHN. Did you ever attend any meeting with her?

Mr. LEWIS. Well, again, I don't know what you mean by "meeting." If you mean a Communist meeting, the answer is "no." I have never been to a Communist meeting, to my knowledge.

But if you mean could she have been present at a faculty meeting where I was, the answer is that she could have been.

Mr. COHN. As I first told you, we were excluding meetings held in the course of official business.

Mr. LEWIS. Yes. I had forgotten.

Mr. COHN. So that is out.

Now, outside of that, did you ever attend any meeting with Charlotte Robinson?

Mr. LEWIS. To the best of my recollection, no.

Mr. COHN. Do you know anyone named Pomerance, P-o-m-e-r-a-n-c-e?

Mr. LEWIS. I know him slightly. He is in the philosophy department.

Mr. COHN. Did you ever attend any meeting with him?

Mr. LEWIS. Again, to the best of my recollection, no.

Mr. COHN. Do you know Mrs. Pomerance?

Mr. LEWIS. I don't believe so.

Mr. COHN. You are married, Mr. Lewis?

Mr. LEWIS. That is correct.

Mr. COHN. And what is your wife's first name?

Mr. LEWIS. Helen.

Mr. COHN. Has she ever been a Communist?

Mr. LEWIS. Well, again, if you knew my wife, it is really—My wife is a wife and a mother, and she certainly is no Communist.

Mr. COHN. No, my question was: Has she ever been a Communist?

Mr. LEWIS. Has she ever been a Communist? Well, let me give you a very precise answer. Eleven years ago, when our first child was born, my wife ceased being a teacher, and since then she has devoted herself and concentrated on bringing up the family. She has been, since we have had a family, I would say, all that any man could want in a devoted wife and a devoted mother of his children.

Now, before we began our family, my wife was a teacher.

Mr. COHN. You do have my question in mind?

Mr. LEWIS. Yes, I am answering it in the fullest way I know.

And in those years of her teaching activity, she was very active in teachers' organizations, teachers committees, and so on.

Now, at that time, unlike the present, where we are a very quiet family and have no outside activities, she had many outside activities in which I did not share. Many times she would go off to meetings, and I would go to the library to work.

Now, I am well aware of the fact that in those days, many teachers' activities were participated in by Communists and non-Communists alike, but I would want it demonstrated certainly to me that my wife was engaged in any Communist activity. Now, naturally, I don't know all of what she was engaged in those days, and frankly, I much less cared. That is the best answer I can give you.

Senator JACKSON. To your knowledge, is she or has she ever been a member of the Communist party?

Mr. LEWIS. To my knowledge, sir, the answer is "no" and the reason I say "to my knowledge" is that knowing that she was associated with all of these teachers outfits, and so on, I certainly urged her never to join up, and I have no reason to believe she disregarded my advice.

Mr. COHN. Your sworn testimony is that to your knowledge your wife was never a Communist?

Mr. LEWIS. I have no reason to believe that she was, yes, sir.

Mr. COHN. Do you know whether she attended Communist meetings?

Mr. LEWIS. I cannot tell you, because—

Mr. COHN. Have you ever discussed that with her?

Mr. LEWIS. Well, I remember that back in those days when she was a teacher, she discussed sometimes the meetings she attended, and I am fully aware of the fact that there must have been Communists at them.

Senator JACKSON. What meeting? Let us pinpoint this a moment. Let me first of all ask you when you were married. I am not asking this question to get into your personal affairs.

Mr. LEWIS. 1936.

Senator JACKSON. Now, the meetings you are talking about were subsequent to your marriage?

Mr. LEWIS. That is right. They would be from about '37 or '39 to the time when my wife quit all that, when her first child was born, beginning in '42.

Senator JACKSON. Now, between '36 and '42, you say your wife attended meetings?

Mr. LEWIS. Yes. They were teachers union meetings.

Senator JACKSON. Was that the Teachers' Union?

Mr. LEWIS. That is the Teachers' Union of New York.

Senator JACKSON. And did the Communists dominate those locals, or the local she belonged to?

Mr. LEWIS. As you know, that has frequently been charged and possibly sustained. But in those days, if you recall, there was a kind of united front, and in those days the Teachers' Union, that is, in the late thirties, was a very large and respected organization, to which many of the teachers of New York City belonged, including for a time myself.

Senator JACKSON. Did you attend the meetings with her?

Mr. LEWIS. Teachers Union meetings, yes, but not these committee meetings and all these other things.

Senator JACKSON. What do you mean by "committee meetings"?

Mr. LEWIS. Well, she was on committees of the union. She was editor of their newspaper for a time, and so on.

Senator JACKSON. Those were committee meetings set up by the union?

Mr. LEWIS. Yes.

Senator JACKSON. It did not go beyond that?

Mr. LEWIS. Well, not to my knowledge, no; and I say, there are lots she went to that I never talked with her about.

Senator JACKSON. Did she ever talk to you about meetings being controlled by the commies, or anything like that?

Mr. LEWIS. I don't think so. I remember that after a while, toward the forties, communism began to become an issue.

Senator JACKSON. An issue where?

Mr. LEWIS. In the Teachers Union. And then, of course as you undoubtedly know, the Teachers Union split up. It splintered into pieces. And that is when she dropped out and I dropped out, and so on.

Senator JACKSON. If she were a member of the Communist party and you were her husband, you certainly should know about it, should you not?

Mr. LEWIS. I certainly should, unless she chose to keep it secret from me.

Senator JACKSON. But she never discussed any membership?

Mr. LEWIS. Oh, yes. She discussed it. She discussed it in the sense that inevitably we had to, when communism became an issue. And I constantly warned her to keep clear of that.

Senator JACKSON. Now, explain that. You said you discussed the membership. You mean they asked her to join?

Mr. LEWIS. I shouldn't be surprised. Not to my recollection, did I ever ask her that confidence. I don't think I ever did.

Senator JACKSON. Are you sure?

Mr. LEWIS. Well, I am just trying to recollect. You know this is fifteen years ago. That is my best recollection, sir.

Senator JACKSON. That they never asked her to join?

Mr. LEWIS. No, my best recollection is that we did not discuss that.

Senator JACKSON. You did not discuss that.

Mr. LEWIS. That is, in those specific terms. What I tried to convey before is that when the Teachers Union began to be attacked because of its Communist membership and alleged Communist domination, at that point I strongly advised her not to get involved in any of this.

Senator JACKSON. What was your position and the position of your wife on the Soviet-Nazi Pact in '39?

Mr. LEWIS. Well, I really can only speak for my position I suppose, sir. I certainly regarded that as a disillusionment.

Senator JACKSON. At that time?

Mr. LEWIS. Yes, and I still do.

Senator JACKSON. You opposed it?

Mr. LEWIS. Well, I frankly neither opposed nor approved. I have no real major concern with these things.

Senator JACKSON. What was your wife's position on the subject?

Mr. LEWIS. I think it was mostly like mine. But, again, you see, we have not been a particularly political family, and we had no really profound or great political discussions. Her position used to be at any rate, in those days, slightly left of mine, and perhaps she had fewer reservations.

Mr. COHN. Where was she teaching then?

Mr. LEWIS. She was teaching at Brooklyn College.

Mr. COHN. What was she teaching?

Mr. LEWIS. Psychology.

Mr. COHN. She was teaching psychology at Brooklyn College. And you taught philosophy?

Mr. LEWIS. No, I taught classical languages.

Senator JACKSON. Have you published any books?

Mr. LEWIS. Yes, in the last years I have published three books, twenty articles in learned journals, over thirty book reviews.

Mr. COHN. For what have you written book reviews?

Mr. LEWIS. The *Classical Weekly*, *Classical Journal*, *American Journal of Philology*, *American Historical Review*, *Classical Philology*.

Mr. COHN. Have you had any connection with the exchange program of the State Department?

Mr. LEWIS. If you mean connection with anything in the State Department, no. But I have applied.

Mr. COHN. Have you applied?

Mr. LEWIS. Yes, I have applied for an exchange fellowship.

Mr. COHN. Has there been any action on your application?

Mr. LEWIS. Yes.

Mr. COHN. Was it accepted, or rejected?

Mr. LEWIS. It was accepted.

Mr. COHN. And when was that?

Mr. LEWIS. I believe the letter informing me of acceptance was dated April 30th last.

Mr. COHN. Just this past April 30th?

Mr. LEWIS. That is right.

Mr. COHN. Where were you supposed to go?

Mr. LEWIS. Italy.

Mr. COHN. And when?

Mr. LEWIS. The next academic year.

Mr. COHN. What were you supposed to? Teach over there?

Mr. LEWIS. No, I was supposed to do research in the library.

Mr. COHN. In what city?

Mr. LEWIS. Florence.

Mr. COHN. On classical subjects?

Mr. LEWIS. That is right, and decipherment of the oldest Greek manuscripts known, which is my specialty.

Mr. COHN. Was your wife going to accompany you over there?

Mr. LEWIS. Yes.

Mr. COHN. Mr. Chairman, I would suggest this. There are some other witnesses we want to hear on the subject of Mr. Lewis, and we were anxious to talk with Mrs. Lewis. I was going to suggest that we adjourn for the afternoon, and maybe Mr. Lewis would want to consult counsel. I would feel better about it if he did. And we would like Mr. and Mrs. Lewis to be down on Monday afternoon, if that is agreeable, at 2:30.

What room would that be, Ruth?

Mrs. WATT. If the Senate is in session, we could come over here. But we could get room 101.

Mr. COHN. Let us make it room 101.

Mr. LEWIS. Room 101 where?

Senator JACKSON. Senate Office Building.

Mr. LEWIS. At 2:30 p.m., next Monday.

Senator JACKSON. On Monday the 25th, this coming Monday. Just one last question. Do you have any recollection of belonging to any organization cited by the attorney general as subversive?

Mr. LEWIS. No, I don't. As I said, I am not an organization man, myself.

Senator JACKSON. You are not a joiner?

Mr. LEWIS. I am not a joiner. I belong to only two or three professional associations, like the American Philological Association, Phi Beta Kappa, and the International Association of Papyrologists, which is my specialty, and I believe that is all.

Mr. COHN. What was your wife's maiden name?

Mr. LEWIS. Helen Block, B-l-o-c-k.

Mr. COHN. Was she teaching under her married or maiden name?

Mr. LEWIS. Both, I think. I think after she was married she used her married name.

Mr. COHN. Could I get your street address?

Mr. LEWIS. Yes. 245 West 101st Street.

Mr. COHN. And your phone is Academy—

Mr. LEWIS. 2-4424.

Senator JACKSON. Do you know what organizations your wife might have belonged to?

Mr. LEWIS. I certainly—

Senator JACKSON. If you do not know, do not say so.

Mr. LEWIS. No, I would have no way of knowing, sir.

Mr. COHN. Mr. Lewis, would you produce that April 30th letter when you come down on Monday?

Mr. LEWIS. Yes.

Mr. COHN. And any other correspondence you had. I assume you had to make some kind of application.

Mr. LEWIS. I can't produce the application, because they have it.

Mr. COHN. You didn't retain a copy of it?

Mr. LEWIS. No.

Mr. COHN. I see. We can get that from them. And who did you give as references on that application?

Mr. LEWIS. The dean of Brooklyn College.

Mr. COHN. What is his name?

Mr. LEWIS. His name is William Gaede, G-a-e-d-e, Professor C. Bradford Welles, W-e-l-l-e-s, of Yale, and Professor James H. Oliver, of Johns Hopkins.

Mr. COHN. All right, sir. And anything else, any correspondence you have had with them of which you have copies, in other words, your file. That was James C. Oliver?

Mr. LEWIS. James H. Oliver.

Mr. COHN. Johns Hopkins?

Mr. LEWIS. Yes. Oh, yes. There were four. And Professor Meyer Reinhold, M-e-y-e-r of my own department. They asked for one reference from my own department.

Mr. COHN. And then your whole file on that. And, as I say, and as Senator Jackson explained, you have a right to consult with counsel. He will not be allowed to participate in the proceedings, but may accompany you, and if at any time you or your wife desires to confer with him in privacy, you have that right, and I would suggest that you procure counsel.

Mr. LEWIS. All right. You make it sound very serious.

Mr. COHN. If it weren't serious, we wouldn't trouble you to come down here.

Mr. LEWIS. Well, my record is an open book. There is nothing in it I am ashamed of or that any American would not be proud of.

Senator JACKSON. Do you have anything you would like to say? You understand, the question was asked: if you are or ever have been a member of the Communist party. And you have been very frank about it. You say you have never belonged.

And obviously, the committee would like to ask the same question of your wife when she comes.

Mr. LEWIS. Naturally.

Mr. COHN. So you have an idea about what the questions will be about. I am not saying that it is limited to that, on Monday, but I am sure you understand that some question has been raised about whether your wife was a member of the Communist party or is now.

Mr. LEWIS. I gather that, and I think I have answered that to the best of my ability. I understood also from Mr. Cohn that there was an accusation made that I was a Communist. I believe you said that.

Mr. COHN. No, I didn't say that. But I say you have a right to assume it is a very serious matter, and if we weren't acting on the basis of other testimony, we wouldn't trouble you to come down here.

Mr. LEWIS. Didn't you say before that there were witnesses before me?

Mr. COHN. Well, I said we were going to talk to other witnesses, that we had heard witnesses and we would be talking to some other witnesses. There is no doubt about that.

Mr. LEWIS. All right.

In matters of this kind, do you assign or recommend counsel, or is that something I do on my own?

Senator JACKSON. I would suggest, as a lawyer myself, that I would get competent counsel, to make sure that you are advised of all your rights. The committee does not recommend any particular counsel, but I think that from your own standpoint it is wise to have counsel. The fact that you have counsel does not create any inference that your case is any more serious than anybody else's, nor does it create any inference of guilt of anything. That is your American right, and the decision as to whether you obtain counsel is entirely up to you. But I would volunteer the statement that it is usually a pretty wise thing to do.

Mr. LEWIS. Bring counsel with me to the next hearing?

Senator JACKSON. Yes. But you understand, the committee is not requesting you to bring counsel.

Mr. LEWIS. I understand. It is a recommendation, shall we say.

Mr. COHN. It is just a step for your protection.

Senator JACKSON. I am merely trying to be fair to you in saying that for your own protection it might be a wise thing. You will be released, then, from the subpoena until Monday.

Mr. LEWIS. Well, I haven't received any subpoena.

Mr. COHN. You were asked to come down. That is the same thing under the Senate rules.

Mr. LEWIS. The girl who phoned me said very specifically I was not being subpoenaed.

Mr. COHN. As long as you receive some formal notification, that is the equivalent of a subpoena.

Senator JACKSON. You will be under subpoena until released by the committee, and the committee will then notify you. This constitutes a subpoena under the rules.

Mr. LEWIS. Well, I am not interested so much in the legal technicalities. I understand you want me and my wife here on Monday afternoon.

Mr. COHN. At 2:30.

Senator JACKSON. Monday, the 25th of May.

Mr. LEWIS. At the room that I jotted down.

Senator JACKSON. Yes.

[Whereupon, at 3:25 p.m., the hearing was recessed until 2:30 p.m., Monday, May 25, 1953.]



## STATE DEPARTMENT TEACHER-STUDENT EXCHANGE PROGRAM

[EDITOR'S NOTE.—The actress, director and producer Margaret Webster (1905–1972) was born in New York City while her British father, actor Ben Webster was performing on Broadway (her mother was the actress Dame May Whitty), and as a result held dual British and American citizenship. Moving back to New York from London in 1937, Webster was elected to the board of the Actors' Equity Association in 1941. With Eva Le Gallienne she founded the American Repertory Theatre in 1945, and from 1948 to 1951 she directed the Margaret Webster Shakespeare Company. In 1950, her name appeared in *Red Channels*, a private listing of radio, television and stage actors, writers, announcers and directors alleged to have belonged to left-wing organizations. She was blacklisted in radio and television, although she remained active on stage.

In her memoir, *Don't Put Your Daughter on the Stage* (New York: Alfred A. Knopf, 1972), Webster described being subpoenaed to testify before the Permanent Subcommittee on Investigations. She felt no need to invoke the Fifth Amendment, she wrote, since she had "nothing to tell or refuse to tell." But her attorney repeatedly impressed on her the importance of never saying "no" when asked if she had attended a meeting or subscribed to a cause. She was instructed to answer "I cannot remember doing so," "not so far as I can recall," and "to the best of my recollection, no." This, her attorney advised, was because "Two witnesses could easily be produced to say yes, you did or yes, you had and a suit for perjury was in order." Margaret Webster was not called back to a public hearing.

Helen B. Lewis testified publicly on June 19, and Naphtali Lewis on June 10 and 19, 1953.]

MONDAY, MAY 25, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:30 p.m. in the Office of the Secretary of the Senate, Senator Joseph R. McCarthy presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator Charles E. Potter, Republican, Michigan; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Present also: Roy M. Cohn, chief counsel; Donald A. Surine, assistant counsel; Ruth Young Watt, chief clerk; Mason Drury, Senate liaison officer, State Department.

### TESTIMONY OF HELEN B. LEWIS (ACCOMPANIED BY HER COUNSEL, MURRAY WEINSTEIN)

The CHAIRMAN. Will you rise and be sworn, please? Raise your right hand.

Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. LEWIS. I do.

The CHAIRMAN. Who is your counsel?

Mr. WEINSTEIN. Murray Weinstein, 37 Wall Street, New York City.

The CHAIRMAN. You can confer with your lawyer at any time you care to at any time during the testimony. Under the rules of the committee, counsel is not allowed to take a part in the proceedings except to freely advise his client whenever he cares to.

Mr. COHN. Mrs. Lewis, you are the wife of Naphtali Lewis, is that right?

Mrs. LEWIS. That is right.

Mr. COHN. And Mr. Lewis is a professor at Brooklyn College?

Mrs. LEWIS. That is right.

Mr. COHN. And he has been elected under the State Department Exchange Program to go abroad?

Mrs. LEWIS. Yes, sir.

Mr. COHN. Are you planning to accompany him?

Mrs. LEWIS. Yes, sir.

Mr. COHN. Have you been a teacher in the school system at New York?

Mrs. LEWIS. I taught at Brooklyn College.

Mr. COHN. Have you ever been a Communist?

Mrs. LEWIS. I must decline to answer that question under the privileges afforded me by the Fifth Amendment.

Mr. COHN. Were you a member of the Communist party while teaching at Brooklyn college?

Mrs. LEWIS. I must decline to answer that question under the privileges afforded me by the Fifth Amendment.

Senator JACKSON. Are you now a member of the Communist party?

Mrs. LEWIS. No.

Mr. COHN. Were you a member of the Communist party last year?

Mrs. LEWIS. No.

Mr. COHN. What date will you assert a privilege under the Fifth Amendment and what date will you deny membership?

Mrs. LEWIS. Well, I must decline to answer that question.

The CHAIRMAN. Two years ago were you a member of the Communist party?

Mrs. LEWIS. No.

The CHAIRMAN. Three years ago were you a member?

Mrs. LEWIS. I was not a member of the Communist party two years ago. Three years ago I was not a member of the Communist party.

The CHAIRMAN. Were you a Communist three years ago?

Mrs. LEWIS. Well, Senator, the use of the word Communist is very loose.

The CHAIRMAN. You seem to distinguish between membership and being a Communist.

Mrs. LEWIS. Very frequently the word Communist is used as quoting anybody you disagree with.

Senator JACKSON. Using the definition following Communist programs and policies, then would you answer the question?

Mrs. LEWIS. I am not a member of the Communist party.

Senator SYMINGTON. Have you ever been a member of the Communist party?

Mrs. LEWIS. I must decline to answer that question.

Senator JACKSON. The chairman asked you if you were a Communist three years ago, and I defined a Communist as following the program and policies of the Communist party. Were you following the policies adhering to the party line of the Communist party?

Mrs. LEWIS. Well, there might be some things such as housing or—

The CHAIRMAN. May I ask the witness a question? Will you define what in your mind is Communist?

Mrs. LEWIS. In my mind a Communist is an enrolled member of the Communist party.

Senator JACKSON. How about one who follows the program in every respect but doesn't pay the dues?

Mrs. LEWIS. I think when you get into the question of definition of people's beliefs, opinions and sympathies, you get into questions which simply cannot be answered.

Senator JACKSON. If you walk like a duck, sit like a duck, quack like a duck, must you not be a duck?

Mrs. LEWIS. No.

Senator SYMINGTON. Wouldn't it save the committee's time and save your being in open session by answering the question. I can see this has distressed you a little bit, but wouldn't it save the Committee's time and your time to give us the year you left the Communist party?

Senator JACKSON. Let me rephrase the question. Would you give us a year when you would be willing to say you were not a member of the Communist party?

Mrs. LEWIS. I must decline to answer that question. If you had asked me about a specific year.

Senator SYMINGTON. I suggest you ask her as she says, Mr. Chairman.

The CHAIRMAN. In 1950 were you a member of the Communist party?

Mrs. LEWIS. No.

The CHAIRMAN. In 1949 were you a member of the Communist party?

Mrs. LEWIS. No.

The CHAIRMAN. 1948?

Mrs. LEWIS. No.

The CHAIRMAN. In 1947?

Mrs. LEWIS. I must decline to answer that question.

The CHAIRMAN. 1940?

Mrs. LEWIS. I must decline to answer that question.

The CHAIRMAN. In 1935?

Mrs. LEWIS. I must decline to answer.

The CHAIRMAN. 1930?

Mrs. LEWIS. In 1930, sir, I was roughly seventeen years old.

The CHAIRMAN. The Young Communist League?

Mrs. LEWIS. No.

The CHAIRMAN. 1931?

Mrs. LEWIS. I must decline to answer.

The CHAIRMAN. You decline to answer on the ground that if you give a truthful answer, the answer might tend to incriminate you?

Mrs. LEWIS. No, sir. As I understand it no such inference can be drawn.

The CHAIRMAN. Then you are ordered to answer.

Mrs. LEWIS. I must decline to answer.

The CHAIRMAN. You are ordered to answer or I shall ask that you be held in contempt.

Senator McCLELLAN. Maybe we are moving too rapidly. I suggest that you ask the question again.

The CHAIRMAN. The question is: in 1931 were you a member of the Communist party?

Mrs. LEWIS. No.

The CHAIRMAN. 1932?

Mrs. LEWIS. No.

The CHAIRMAN. 1933?

Mrs. LEWIS. No.

The CHAIRMAN. 1934?

Mrs. LEWIS. Well, I must decline to answer that question.

The CHAIRMAN. Are you declining on the ground that if you told the truth, gave a truthful answer that answer might tend to incriminate you?

Mrs. LEWIS. I am declining under the protection of the Fifth Amendment which says that I may not be a witness against myself.

The CHAIRMAN. You are entitled to refuse to answer the question only if you feel a truthful answer might tend to incriminate you. I am asking you if that is the reason you decline to answer the question.

Mrs. LEWIS. I must decline to answer your question.

The CHAIRMAN. You are ordered to answer the question. Just so you understand, we must determine whether you are entitled to refuse to answer the question under the Fifth Amendment. You are only entitled to refuse to answer my question if you feel an honest answer might tend to incriminate you. If you refuse to answer that, I am not going to threaten you, but for your own information, if you do not I will ask the committee to cite you for contempt. You may consult with counsel?

Mrs. LEWIS. Well, then, I will answer your question that if I answer the question it might tend to incriminate me.

The CHAIRMAN. And you feel if you gave a truthful answer it might tend to incriminate?

Mrs. LEWIS. Yes, sir.

The CHAIRMAN. Today would you say that you feel sympathetic towards the Communist philosophy?

Mrs. LEWIS. Senator, that is a question now that is asking about my opinions and beliefs, is that right?

The CHAIRMAN. I think you understood the question. The question is: Are you now sympathetic to Communist philosophy?

Mrs. LEWIS. There are some things in the Communist philosophy that I am not particularly sympathetic with.

The CHAIRMAN. Can you tell us those things in the Communist philosophy you are not sympathetic with?

Mrs. LEWIS. Well, there have been certain world events which certainly make it appear as if there is a possibility of conflict be-

tween the United States, for instance, and the Soviet Union. I am a loyal and patriotic American.

The CHAIRMAN. I wonder if you will get back to the question. What part of the Communist philosophy are you not in sympathy with. You are entitled to refuse to answer.

Mrs. LEWIS. I don't see what particularly—what might be incriminating in my beliefs.

The CHAIRMAN. May I say, just for your information, if you were really an American citizen, we would not be concerned with your beliefs. You could believe anything. However, in view of the fact that there has been testimony concerning you and your husband before another committee—your husband has been selected at considerable expense to the taxpayers to a rather important position. For that reason we are curious to know whether you are still a believer in communism or not. You are going on this trip, you see. Otherwise we are not checking whether you believe in the Communist cause. I ask you again—what part of the Communist philosophy do you disagree with?

Mrs. LEWIS. If I follow your reasoning, it stems from my husband's selection for the student exchange. I fail to see where my beliefs are relevant to his selection.

The CHAIRMAN. I order you to answer the question unless you refuse to answer it on the grounds that your answer might tend to incriminate you. Will you answer that question, Mrs. Lewis?

Mrs. LEWIS. Well, as I have already begun to indicate—although let me say, as I said before, that I think my beliefs are entirely irrelevant to my husband's selection for the Student Exchange Program.

The CHAIRMAN. Have you gotten a passport yet?

Mrs. LEWIS. No.

The CHAIRMAN. You haven't gotten your passport yet?

Mrs. LEWIS. No.

The CHAIRMAN. What part of the Communist philosophy do you disagree with?

Mrs. LEWIS. Let me begin with the beginning of my answer for the record. I wish the record to indicate that my beliefs—that questions of my opinions are irrelevant to my husband's Fulbright scholarship. If you want to know about my opinions and direct me to answer you as to what part of the Communist—what was it again?

The CHAIRMAN. You said you disagree with some part of the Communist philosophy.

Mrs. LEWIS. I do not believe in philosophy that allows aggressive action against other states, for instance.

Senator SYMINGTON. What was that?

Mrs. LEWIS. I do not believe in aggressive action. I believe that is wrong.

Senator JACKSON. You believe aggressive action is wrong?

Mrs. LEWIS. Yes.

Senator JACKSON. In other words, you believe that Communists are wrong now in taking aggressive action against other states. You believe the Communists are wrong in Korea?

Mrs. LEWIS. Yes, sir. I think it has been demonstrated that the first moves were made by the North Koreans, and in the light of

that, I am opposed to aggressive action as a solution to international problems.

Senator POTTER. Do you oppose the persecution of the Jewish people in the Soviet Union?

Mrs. LEWIS. I certainly do. I have been against discrimination all my life.

The CHAIRMAN. Would you favor a Communistic form of government in the United States?

Mrs. LEWIS. I am inalterably in favor of our democracy.

The CHAIRMAN. I will ask you again. Would you be opposed to a Communist form of government in the United States?

Mrs. LEWIS. Yes, I would.

The CHAIRMAN. In 1947 were you opposed to a Communist form of government in the United States?

Mrs. LEWIS. I must decline to answer your question.

The CHAIRMAN. Has your husband ever been a member of the Communist party?

Mrs. LEWIS. Now, Senator McCarthy, on advice of counsel, I am not going to answer any questions about my husband as I believe such questions would be an invasion of the sanctity and privacy of our marriage.

Mr. COHN. Sir, I believe that only includes confidential communications. In other words, confidential communications to her which were given in the capacity as his wife. There is no such thing as an absolute privilege between husband and wife. It only applies to confidential communications. She cannot assert a general statement that she is not going to answer any questions about her husband.

The CHAIRMAN. I think you are right, Mr. Cohn—

Senator MCCLELLAN. I am inclined to think it would be rather difficult to separate confidential communications from others.

Senator SYMINGTON. I agree with that.

Mr. COHN. Mr. Chairman, suppose they attended meetings.

The CHAIRMAN. I think you are strictly right on the rule, Roy, but I am inclined to agree with Senator McClellan that you can't tell whether they are confidential communications or not.

Did you attend Communist meetings in 1948?

Mrs. LEWIS. No.

The CHAIRMAN. 1947?

Mrs. LEWIS. I must decline to answer your question.

Senator MCCLELLAN. I will ask you if you attended Communist meetings in 1946 or 1947 with your husband?

Mrs. LEWIS. I must decline to answer that.

The CHAIRMAN. On the ground of self-incrimination?

Senator MCCLELLAN. I would like to ask a question of the committee here. I am a little bit lacking in background on this thing. Has her husband been questioned by this committee or any other committee?

The CHAIRMAN. Yes, he was questioned by Senator Jackson. Before further questioning he decided he wanted counsel.

Senator JACKSON. Mr. Cohn and myself strongly advised him that he should consult counsel.

Senator McCLELLAN. I feel this way about it. The husband is available and he is seeking benefit of this government and I think we should ask him questions directly.

The CHAIRMAN. As far as I am concerned, we have finished with you, Mrs. Lewis. May I say, you are asking for a passport to go overseas. We have many fine people who have been in the Communist party who have decided communism was evil and they have dropped out of that party and are very fond of America now. If you have been a member of the party and, if you think that was wrong—if you dropped out of the party and you would care to tell us about that and tell us why, I assume that is something that the State Department would be interested in before granting a passport. I doubt very much that a passport will be granted to someone, to go overseas and represent us as your husband will be teaching in the exchange program. I doubt very much if they will give you a passport unless you come in and tell us about your activity in the party—if and when and why you left the party.

Senator SYMINGTON. Mr. Chairman, you have asked the question that I was going to talk about. The chairman has proved his belief in that position by having an ex-Communist on the staff of this committee. I am only telling you what is now a matter of record. It seems if you say you are a good American, and in effect have admitted you were a member of the Communist party, it would be far better for you if you said you had been a member and felt it was wrong based on subsequent thinking, and inasmuch as you feel you are a good American—looking at you and listening to you and certainly you are out of it now—if I had anything to do with giving you a passport, I would be glad to see you get one. On the other hand, if you come up here and say that you are a good American and take refuge through a lot of legal “claptrap” behind the Fifth Amendment, do you think the people of this committee will approve of your getting a passport to go out of the United States while you might have reason for not admitting anything about it. I think you are making a mistake. I think you are doing yourself an injustice from listening to you.

Mrs. LEWIS. I thank you for your interest in my welfare, but I, myself, do not agree with all the interpretations that you put on my testimony and my exercise of the Fifth Amendment, as this is something that I have thought about and do intend to do.

Senator SYMINGTON. One more point. In regard to not answering questions concerning your husband, you might be interested to know that in my opinion you have already testified while I have been here at length against your husband—if you are interested in his future.

Senator JACKSON. I would like to supplement Senator Symington's statement. The general tenor of the questions will come up in connection with your passport and would have come up, and I think that it is a matter that you ought to give fuller consideration to. Maybe you will want to come back and discuss it with the committee.

The CHAIRMAN. Have you ever engaged in espionage?

Mrs. LEWIS. No.

The CHAIRMAN. Sabotage?

Mrs. LEWIS. No.

Senator JACKSON. You don't believe or advocate the overthrow of this government by force and violence?

Mrs. LEWIS. I certainly do not. Never have. I certainly do not believe in force and violence. I believe in the democratic solution.

Senator JACKSON. Have you ever believed in it—the utilization of force to change our government here in the United States?

Mrs. LEWIS. I am a peaceful person, sir.

Senator JACKSON. Then, if you have never believed in such force and violence to achieve that end, you can answer the question. It might be well to keep the record straight,

Mrs. LEWIS. I must decline to answer on the grounds of the Fifth Amendment.

Senator SYMINGTON. You realize you will have to take a position in a public hearing—

Mrs. LEWIS. I am going to if I have to.

The CHAIRMAN. Mrs. Lewis, you may be excused now. You are still under subpoena and you will be notified when you are to appear.

#### TESTIMONY OF NAPHTALI LEWIS

The CHAIRMAN. Professor Lewis, you have previously been sworn by the acting chairman of the committee, Senator Jackson?

Mr. LEWIS. Yes, sir.

The CHAIRMAN. You are reminded that you are still under oath.

Mr. LEWIS. Yes.

The CHAIRMAN. You understand that you can freely discuss any matter with your counsel at any time you care to?

Mr. LEWIS. Yes, sir.

The CHAIRMAN. I understand that the hearing adjourned the other day so that you could obtain counsel. Mr. Cohn, will you proceed.

Mr. COHN. Mr. Lewis, you were in here Friday and you have counsel now.

Mr. LEWIS. Wednesday.

Mr. COHN. You have obtained counsel and had a chance to confer with counsel, is that right?

Mr. LEWIS. That is correct.

Mr. COHN. Have you ever been a Communist?

Mr. LEWIS. I have never been a member of the Communist party.

Mr. COHN. Have you ever been a Communist? I am not referring to party membership.

Mr. LEWIS. The word Communist is bandied about today so much—

Senator JACKSON. Let's let the witness define it. How would you define a Communist?

Mr. LEWIS. Sir, I hardly know how. Perhaps you would be interested in something that happened in my presence in the last half year. I was riding on a bus and two men got into an argument as to whom pushed whom. One party got off the bus and the parting shot of the other one was—yelled, "Oh, you Communist." These days the word Communist is used to describe anybody they disagree with.

The CHAIRMAN. We are not interested in the different definitions of the users—not interested in something you heard on the bus.

Mr. LEWIS. My definition of a Communist is a person who is a member of the Communist party.

Senator JACKSON. How about a person who is not a formal member but believes in each and every principle of the Communist party, but does not hold a formal party membership. Is he a Communist?

Mr. LEWIS. Well, I don't know if there are such people.

Senator JACKSON. I am asking you the question assuming there are such people.

Mr. LEWIS. Is that a hypothetical question?

Senator JACKSON. If a person believes in all the principles of the Communist party that apply to formal membership, is he a Communist under your definition?

The question I put, Mr. Chairman, assuming that an individual believes in the principal objectives and aims of the Communist party but is not a formal member of the party, is he a Communist under your definition?

Mr. LEWIS. Under my definition? You mean of a moment ago? My definition was a member of the Communist party. You have given me a hypothetical question. You wish me to respond not in terms of my definition but as I interpret your question—Well, I suppose such a person could be called a Communist with a small "c."

The CHAIRMAN. Would you answer that question?

Senator JACKSON. Have you ever been one who has believed in accordance with my hypothetical question?

Mr. LEWIS. No, I have not.

Senator JACKSON. Have you ever attended Communist meetings, Professor?

Mr. LEWIS. Not to my knowledge.

Senator JACKSON. Have you ever believed in or espoused the Communist cause—Communist philosophy?

Mr. LEWIS. Well, again perhaps if you specify what you mean by Communist philosophy.

Senator JACKSON. Use your definition?

Mr. LEWIS. No, sir, I have not.

Senator JACKSON. What is your definition of the Communist philosophy?

Mr. LEWIS. My definition of the Communist philosophy. Senator, I am no expert on the philosophy of the Communist party. I suppose—

Senator JACKSON. You say you never believed in or espoused the philosophy of the Communist party?

Mr. LEWIS. Certainly not. There might have been certain doctrines held by the Communists that I approve of.

The CHAIRMAN. Was your wife a member of the Communist party?

Mr. LEWIS. Senator, I am advised by counsel that for questions to be put to me concerning my wife is an invasion of the sanctity and privacy of our marriage and I must refuse to answer questions concerning my wife.

The CHAIRMAN. Did you ever attend a Communist party meeting with your wife?

Mr. LEWIS. You have asked a question concerning my wife. I must refuse on advice of counsel to answer that question.

The CHAIRMAN. You will be ordered to answer that question. You are entitled to refuse to answer any questions concerning any private communications between yourself and your wife. That is interpreted very broadly. However, when asked whether or not you attended a Communist meeting with your wife—that is not a confidential communication. Have you ever attended Communist meetings with your wife at which people other than you and your wife were present?

Mr. LEWIS. Well, may I consult with counsel, please?

Senator, I will state here and now, I have never knowingly attended any Communist party meeting whatever.

Senator JACKSON. With or without your wife?

Mr. LEWIS. I have not knowingly attended any Communist party meeting.

Senator MUNDT. May I inquire why you inject knowingly?

Mr. LEWIS. Had I known it was a meeting of the Communist party—

Senator MUNDT. Have you attended meetings where when you left the meeting you had knowledge that it was a meeting of the Communist party?

Mr. LEWIS. No. I have not attended a meeting that I knew was a meeting of the Communist party after I left.

The CHAIRMAN. Have you ever attended a meeting which you subsequently had reason to believe was a meeting of Communist party members or a meeting for the purpose of recruiting members of the party?

Mr. LEWIS. Not to my knowledge.

The CHAIRMAN. Then your testimony is at this time that you are of the opinion that you have never attended a meeting called by the Communist party?

Mr. LEWIS. That is correct.

The CHAIRMAN. Have you ever been asked to join the Communist party?

Mr. LEWIS. To the best of my recollection, "no."

The CHAIRMAN. To the best of your recollection "no."

Mr. LEWIS. That is correct.

The CHAIRMAN. How long have you been married Mr. Lewis?

Mr. LEWIS. Counsel informs me that he thinks the question is covered by the marital privilege.

The CHAIRMAN. You will be ordered to tell when you were married. It is not a confidential communication.

Senator McCLELLAN. That is a matter of public record.

Mr. LEWIS. I was married in 1946.

The CHAIRMAN. To your present wife?

Mr. LEWIS. That is correct.

Senator JACKSON. And you have been married all that time—ever since—to her?

Mr. LEWIS. That is right.

The CHAIRMAN. Roy, have you any further questions?

Mr. COHN. Mr. Lewis, you deny that you ever believed in communism for the United States?

Mr. LEWIS. Well, of course, you have not defined what you mean by communism. I have been given a hypothetical question. I cer-

tainly do not hold the view that there is any better form of government for the United States than the liberal American democracy.

Mr. COHN. And you never held an opinion contrary to that? Have you ever thought communism would be better? Have you ever advocated communism? Have you ever belonged to the Young Communist League?

Mr. LEWIS. Certainly not.

Senator JACKSON. I think I asked you previously at the last meeting of the committee whether you have ever belonged to any organization listed by the attorney general to be subversive?

Mr. LEWIS. Yes, sir. I believe I told you at that time I had not. As far as I know, I believe that is a correct answer. I have not examined the attorney general's list, but the reason I would think my answer is correct is that I have never belonged to other than professional organizations.

The CHAIRMAN. Do you feel that a person can be a Communist and at the same time a good American?

Mr. LEWIS. There again it depends on what you mean by a Communist.

The CHAIRMAN. A member of the Communist party.

Mr. LEWIS. Well, you are way out of my line. I am a professor of Greek and Latin. I really don't know that I have any concrete opinion on that.

The CHAIRMAN. You don't have any opinion as to whether a member of the Communist party could also be a good American?

Mr. LEWIS. It would seem to me that the American tradition of liberalism would permit a man to hold opinions ranging from the extreme right to the extreme left.

Senator SYMINGTON. Do you know that the Communist party advocates the overthrow of the United States by force and violence.

Mr. LEWIS. I don't know it. If it is so dedicated, I would be, with my entire being, opposed to it.

Senator SYMINGTON. Would you like to correct your testimony then that if it is true that the Communist party is dedicated to the overthrow of the American system of government by force and violence you do not think a good American could be a member of the Communist party?

Mr. LEWIS. Again, I don't see that the second follows entirely from the first.

The CHAIRMAN. Let me rephrase the question. If you don't know it, we can inform you that the Communist party is dedicated to the overthrow by force and violence—

Mr. LEWIS. I am certainly opposed to that.

The CHAIRMAN. If that is true, any member of that organization cannot be a good American?

Mr. LEWIS. That I don't know.

Senator SYMINGTON. If membership in the Communist party involves being a member of an organization that is dedicated to the overthrow of the American form of government by force and violence, can you have membership in the Communist party and be a good American?

Mr. LEWIS. If membership means dedicated to the overthrow of our government—

Senator SYMINGTON. Not dedicated—being a member of the Communist party which advocates the overthrow of our government by force and violence.

Mr. LEWIS. Well, you see, Senator—

Senator SYMINGTON. It is beginning to look as if your reason for evading the question is that somebody close to you might be a member of the Communist party. As to whether it is you or not, I don't know.

Mr. LEWIS. I resent the implication.

Senator SYMINGTON. Well, I resent your attitude too. I am getting a little tired of your ducking and dodging. We are trying to make the questions very straight and simple. The chairman asked you if you felt a member of the Communist party could be a loyal American. That is what I remember, and you felt it was all right for anybody to hold any political views. After that I asked you if you knew that the Communist party advocates the overthrow of the American system of government by force and violence and you get into a lot of languages instead of saying "yes" or "no."

Mr. LEWIS. I cannot answer that question.

Senator JACKSON. Mr. Lewis, you are an intelligent man and certainly, I assume you read the newspapers even though you are engaged in teaching classical studies at Brooklyn College.

Mr. LEWIS. Yes.

Senator JACKSON. Aren't you aware of the fact by now that a person who is a member of the Communist party not only believes in the advocacy of force and violence to achieve that end in the United States, but above that owes loyalty to the Soviet Union?

Mr. LEWIS. You asked me if I was aware of it. I am certainly aware of what has appeared in newspapers and aware that this is the prevalent view.

Senator JACKSON. Now, you are aware of the events that have taken place since the end of World War II, namely the first move of the Soviet Union into Greece, threatening violence in Turkey, and I assume you are also aware of Czechoslovakia and what happened to Communists in that country. Can there be any doubt that a member of the Communist party in this country is in the international conspiracy and is strongly disloyal to this country?

Mr. LEWIS. I am certainly opposed to every one of the acts of aggression.

Senator JACKSON. Just answer the question.

Mr. LEWIS. The reason I cannot answer your question—at the end you seem to me to presuppose that I know what a member of the Communist party in this country is supposed to do?

Senator JACKSON. Aren't you pretty much convinced what they are supposed to do?

Mr. LEWIS. I know nothing of Communist affairs. If you ask me about events of the day, I will be perfectly willing and happy to do that, but if you ask me to make a judgment that is based on knowledge which I do not have, I don't see how I can do that.

Senator JACKSON. Listen, Mr. Lewis, you have been selected to go abroad and while you are, undoubtedly well-informed in the classics and very able to teach, responsibility of the Student Exchange Program entails broad responsibilities of citizenship above and beyond books.

What about American Communists? Are they loyal?

Mr. LEWIS. I don't know. I haven't made a personal examination of American Communists, so, therefore, I can't say.

Senator JACKSON. They may be all right?

Mr. LEWIS. I don't think I said that.

Senator JACKSON. That is the effect of your testimony. Isn't that the effect of your testimony? You are saying because you don't have personal knowledge of the Communist movement in the United States, you can't answer the question. As an intelligent citizen you know, or should know, if you don't, that there is a Communist conspiracy in the world. Three-fourths of your tax dollar is paying for defense. I don't see how you can qualify for a scholarship and go overseas to Italy, as you have been selected to go, without knowing something more than the classics.

The CHAIRMAN. I don't think we should refer to the exchange program as the Fulbright Scholarship. The people will connect it with Senator Fulbright. I think we should refer to it whenever it appears in the record as the Student Exchange Program.

Senator MUNDT. Do you think a man who holds Communist beliefs is a suitable man to work for the federal government?

Mr. LEWIS. Under present conditions of world affairs I don't think so.

Mr. COHN. Do you think, Professor, that a man who holds Communist beliefs is a suitable man to teach on a college or university faculty publicly supported?

Mr. LEWIS. There, sir, you have touched on one of the moot questions of the day. There is much argument about the question.

Senator JACKSON. You don't mean it is "moot."

Mr. LEWIS. I don't know that I know what the word means?

Senator JACKSON. Legally it means a judicial issue that doesn't exist—a hypothetical question.

Mr. LEWIS. I think the word "moot" has a non-legal sense, which I was applying to it, Senator, that this is an issue which is very much discussed these days.

The CHAIRMAN. Counsel asked you a very simple question. He asked you whether Communists should be allowed to teach in colleges.

Mr. LEWIS. I have not made up my mind. Senator Taft says they should, and the Board of American Universities and Colleges say they should.

The CHAIRMAN. The American Association of Universities has taken the position on one side and the American Association of University Professors has taken a position on the other side.

Mr. LEWIS. I am quoting the American Association of University Professors.

The CHAIRMAN. Do you think a man who holds Communist beliefs should be granted an American passport to travel abroad?

Mr. LEWIS. What do you mean Communist beliefs?

The CHAIRMAN. Communist sympathies?

Mr. LEWIS. If his purpose is innocent, a man who is an American citizen and has broken no laws is entitled to protection of an American passport—

The CHAIRMAN. Your answer to the question would be "yes."

Mr. LEWIS. Yes, provided conditions are met—he hasn't broken any laws.

Senator POTTER. A man can be a member of the Communist party and not break any laws at present. He can be an active member of the Communist party and not break any laws. Is that your opinion regarding a passport whether he abided by the laws of our country?

Mr. LEWIS. I may be wrong, but my understanding of a passport is that it provides protection to American citizens who travel abroad.

The CHAIRMAN. Let me ask you two or three questions. If a person came before a committee and he refused to tell whether she was a member of the Communist party, whether she had broken with the party, refused to tell whether she believed in our form of government or it should be destroyed by force and violence, on the ground that if she answered the question, such answer might tend to incriminate her, refused to give names of fellow members—Let's say that person was the wife of a professor to go overseas and teach in the Student Exchange Program, would you say that person should be given a passport to go overseas and hold that position of a professor representing the United States.

Mr. LEWIS. Senator, if your question refers to my wife in any respect—

The CHAIRMAN. Just answer the question. It you don't understand I will have it re-read to you.

Mr. LEWIS. Is it a hypothetical question or a real question?

The CHAIRMAN. It is exactly as I asked it.

Mr. LEWIS. I will ask to consult with counsel.

As I analyze your question, it does not seem to me that you have given any indication of breaking any of our laws and as long as people do not break our laws, I do not see why they are not entitled to an American passport.

The CHAIRMAN. In other words, you say a person that refused to tell whether they were a member of the Communist party, refused to identify fellow members, refused to tell whether they advocated the overthrow of the government by force or violence—you think such a person should be given a passport?

Mr. LEWIS. Well, such a person invokes a privilege from which, as I understand it, no inferences are permissible.

The CHAIRMAN. Have you gotten your passport yet?

Mr. LEWIS. No.

The CHAIRMAN. You are under subpoena and will be told when to return.

Mr. Lewis, would you turn over the correspondence we asked you to produce concerning your selection as an exchange student?

Mr. LEWIS. Yes. Will this be returned?

The CHAIRMAN. You have handed counsel letter dated April 20, 1953; carbon copy of letter dated April 27, 1953; original letter dated April 24, 1953; April 22, 1953; another memorandum dated February 26, 1953; letter dated February 17, 1953; one dated May 2, 1952; and one dated 28 April 1952. Is it your testimony that this is the only correspondence you have had with anyone regarding your selection in this exchange program?

Mr. LEWIS. That is correct.

The CHAIRMAN. We have nothing further. We will notify your counsel when you are to return.

**TESTIMONY OF MARGARET WEBSTER (ACCOMPANIED BY HER COUNSEL, SIDNEY DAVIS)**

The CHAIRMAN. The witness will be sworn.

Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Miss WEBSTER. I do.

The CHAIRMAN. And you have counsel?

Miss WEBSTER. Yes, Mr. Sidney Davis.

The CHAIRMAN. Miss Webster, one of the rules of the committee is that you are allowed to discuss with your counsel any matter you care to during the hearing, and get advice when you care to. If at any time you want to have a private conference we will give you a private room.

Mr. COHN. Miss Webster, do you have any connection with the exchange program of the State Department?

Miss WEBSTER. Through the Fulbright Scholarship Division, International Institute of Education, I have done adjudication.

Mr. COHN. Just how does that work?

Miss WEBSTER. It is worked slightly differently in the four or five years in which I have been connected with them. I wouldn't absolutely swear whether it was four or five. I think when their representatives first came to me—I say I think four years—they were only beginning to develop their program of drama students, their program of interchanging so far as concerned theatre drama students. They came to me—David Warlinger, who seemed to be the head of that division—asking my opinion and advice as to selection of an already selected number of students who had made application to go overseas in the drama field. I think only the acting field. He gave me a folder and information on a number of candidates. I don't remember the number, it may have been ten or twenty. None of them were actually already there in New York at that time. There happened to be one who I had adjudicated in a different connection and had recommendations about and I recommended her. I don't remember whether I recommended any others. The following two years thought—it could conceivably have been three—I only entered into the proceedings at the last stage as far as adjudication is concerned. I had nothing to do with the selection process of candidates. I was present when they selected candidates, a dozen or so—acting only, not designers or any others—when they appeared personally to audition for the judges. I was one of approximately four judges. This past season, around December, I sat in with a jury of four people, including myself, to go through and rate the various selected material on the students which was presented by the institute people.

I also attended the acting auditions. This year I attended both those selection sessions and also the acting auditions. The final selection, as I understand it, was made by—I don't know—the central committee over all actors, whatever it is.

All that we have ever been asked to do is rate the candidates according to our view of their ability and turn this material and our

recommendations back to the institute. In fact, as I remember, I have not been officially informed of what their final decisions were. I have in instances grown to know that. I don't think officially information has been returned to the jurors.

Mr. COHN. Are you currently connected with the program?

Miss WEBSTER. No, because there is nothing to do right now. The selection of candidates was done in December and January. What they asked me to do was done during those months.

Mr. COHN. And it won't arise again until next year?

Miss WEBSTER. Next December or January. Whether or not they will ask me——

Mr. COHN. Were you denied a passport for security reasons?

Miss WEBSTER. No, sir. It was questioned. I went to the passport office and answered all the questions they cared to ask me and I have a passport.

Mr. COHN. When was it issued?

Miss WEBSTER. May 12th, or some approximate date of that sort. Senator SYMINGTON. Are you a naturalized American citizen?

Miss WEBSTER. I was born in New York City.

Mr. COHN. Miss Webster, have you belonged to a considerable number of Communist-front organizations?

Miss WEBSTER. I have never belonged to any organization which I knew to be influenced or dominated by Communists. I would be very glad to answer any questions.

Mr. COHN. Were you a sponsor of the Committee for the Re-election of Benjamin J. Davis, candidate for the Communist party in New York?

Miss WEBSTER. I have no recollection of it.

Senator MUNDT. Mr. Cohn, do you have a date?

Mr. COHN. December 25, 1945, it was reported in the *Daily Worker* that Margaret Webster was a sponsor for the reelection of Benjamin J. Davis.

Miss WEBSTER. To the best of my recollection on that, sir, at that time Mr. Davis was already a member of the city council, as far as my recollection goes, and he came forward with some scheme connected with the——

Mr. COHN. What we want to ascertain is whether or not you were of sponsor of this committee?

Miss WEBSTER. May I finish, sir? My recollection is that Mr. Davis came out for municipal support for a theatre in New York and that scheme was endorsed by a number of people in the theatre field, including myself. I have no further recollection than that.

Mr. COHN. You have no recollection that it went beyond that? You are not telling us you didn't sign it? Was he running on the Communist party ticket?

Miss WEBSTER. Of that, sir, I have no recollection whatsoever.

Had I known that, I would not have endorsed such a certificate.

Senator JACKSON. He has subsequently been convicted of teaching and advocating the overthrow of the government of the United States. Was he running on the Communist party ticket?

Mr. COHN. He was running on the Communist party ticket and the Communist party ticket alone.

Mr. DAVIS. I am not sure that Mr. Davis, who is no relative of mine by the way, was on the city council prior to that and had been elected on some other ticket.

Mr. COHN. I will say this, Mr. Davis, he was the Communist party candidate, period, at the time it was reported by the *Daily Worker* that Miss Webster was a sponsor for his reelection.

Senator SYMINGTON. Have you ever been a Communist?

Miss WEBSTER. No, sir, at no time nor am I now.

Mr. COHN. Miss Webster, it is our information that you contributed financially to Peoples Radio Foundation, which is officially cited as a subversive organization by the attorney general.

Miss WEBSTER. I will tell you that to the best of my recollection on that. The year, again, I would take to be the end of 1944 or the beginning of 1945. I received a communication from the—was it the “Peoples Radio Foundation”—which described objectives of establishing a radio station for public service program outlets for trade unions, radio, etc., which would not be carried by big networks. They solicited support and foolishly very soon afterwards I agreed to take a share of stock. They then asked me if I would belong to the committee or board of directors, which I refused to do. I had no further connection with them whatsoever. I don't think I ever received the share of stock. Very soon after that it became clear to me that it was in the nature of a gyp.

Mr. COHN. The records show that you endorsed and were a stockholder of this foundation.

Miss WEBSTER. That is the extent of my recollection. My recollection is very clear that they asked me to join the board of directors and I categorically refused to do so. I think I have had no further communications about it.

Mr. COHN. The certificate indicates that you were a stockholder.

Miss WEBSTER. That I have told you about, sir.

Mr. COHN. Were you a member of the American Committee for the Protection of the Foreign Born?

Miss WEBSTER. I was never a member of that committee, sir. No.

Mr. COHN. Has it ever been called to your attention that the *Daily Worker* published on February 10, 1944, a greeting to the women of the Soviet Union, which was signed by you and sponsored by the American Council of American-Soviet Friendship?

Miss WEBSTER. No, sir, I remember nothing like that.

Mr. COHN. Were you ever a member of the Joint Anti-Fascist Refugee Committee?

Miss WEBSTER. I was never a member. I did make several fundraising appeals for them for objectives which were entirely humanitarian and charitable. I was never a member of the board or committee or any such thing.

Mr. COHN. Were you ever connected with the Spanish Refugee Relief Committee? Specifically, we have a letter on which you are listed as a national sponsor, which was February 26, 1946. That is the date which the letter containing your name appears.

Miss WEBSTER. If it was part of the Joint Anti-Fascist Refugee Committee. I have no recollection of that event or date. It is not inconceivable. What was I supposed to have done?

Mr. COHN. National sponsor.

Miss WEBSTER. It is conceivable that I was solicited. I know that appreciably later—I wouldn't be certain of the year—two or three years later—I received a letter from the Spanish Refugee Appeal on which I saw that my name was then listed as a sponsor, the contents of which letter appeared to be political in character, something pertaining to Franco. I wrote to them at that time and stated that I had not given them permission to use my name and I had no sympathy, no political objective of that nature and would appreciate their withdrawing my name.

Mr. COHN. Were you connected with the American Committee to Save Refugees?

Miss WEBSTER. The American Committee to Save Refugees? I don't recognize that title at all.

Mr. COHN. Were you a sponsor of the National Conference of Civil Rights held in Chicago November 21 to November 23, 1947, as reported in the *Daily Peoples World* on November 28th?

Miss WEBSTER. I have no recollection of that. If you want me to amplify any connections I may have had I think one time I made a donation to it, possibly more, for specific cases for which it didn't appear to me to have any connections with communism, nor did I know that it was Communist infiltrated or influenced. The answer that I made to that appeal were for specific cases, which appeared to me to be laudable and in no way blameworthy.

I think that I must also say that I was insufficiently familiar with the workings of the organization and for a long time I confused it completely with the American Civil Liberties Union.

Sometime in the beginning of 1948 they wrote to me and asked me to become a member of their board of directors, which I refused to do. At that time I think the Communistic tendencies were becoming apparent.

Mr. COHN. Now, did you have any participation in an article concerning you, which was a biography published in the *Daily Worker* on March 26, 1944, magazine section?

Miss WEBSTER. None whatsoever. I don't think I ever had a copy in my hand over once in my life. I never read it.

Mr. COHN. Do you know Margaret Markham?

Miss WEBSTER. Not that I remember.

Mr. COHN. Is that the first you have heard concerning that article?

Miss WEBSTER. Yes, sir. If I may add to that, there was one time a supposed article published under my name in the *New Masses*, which was brought to my attention and which I bitterly protested. It was solely about the theatre.

Mr. COHN. Did you extend greetings to actors of Moscow, a telegram, November 1, 1948, as listed in the *Daily Worker*?

Miss WEBSTER. I should think it extremely doubtful because at the time I had connection with the Theatre Committee of the National Council of American-Soviet Friendship was during the years 1945 and the beginning of 1946, from which I resigned in the middle of 1946. I would think it very, very doubtful that as late as the end of 1948 I would have signed such a telegram.

Mr. COHN. You see the difficulty is that we have all these things listed here and you answer that you might have or it is doubtful—

Miss WEBSTER. I don't think that it is quite so. I have given you a number of things to the best of my recollection and specific details in a number of instances.

Mr. COHN. Now, let's get back to the sponsorship of the Communist party candidate in 1945.

Miss WEBSTER. I think I never could have given that sponsorship in that form. I have told you that Mr. Davis was sponsoring a theatre scheme for New York City. I think all of this passed through the Independent Citizens Committee. I cannot believe I ever endorsed his candidacy as the authorized Communist party candidate running on the Communist party ticket alone, which you tell me took place.

Mr. COHN. There is no doubt about it.

Now, were you a sponsor of a dinner for the American Committee for the Protection of the Foreign Born on April 17, 1943, held in New York, at which the chairman or sponsor was Donald Ogden Stuart?

Miss WEBSTER. I must answer you under oath, and I have no recollection of that.

Mr. COHN. Do you know Donald Ogden Stuart?

Miss WEBSTER. I don't.

Mr. COHN. Do you know whether or not he is a Communist?

Miss WEBSTER. I don't know whether or not he is a Communist.

Mr. COHN. Were you ever a member of the National Council of American-Soviet Friendship?

Miss WEBSTER. That is the council to which I referred. I have never been a member of the board. I was chairman of the Theatre Committee at the time when Dr. Serge Koussevitsky was chairman of its Music Committee.

Mr. COHN. The *Daily Worker* of March 23, 1942, reported a speech by you before the American Committee to Save Refugees. Do you recall that?

Miss WEBSTER. You asked that before. That is about a specific speech. I have no recollection of that organization, sir.

Mr. COHN. Did you speak at the United American Spanish Aid Committee at any time?

Miss WEBSTER. Unless it was in some way part of the Joint Anti-Fascist Refugee Committee, for which I did make an appeal for funds, humanitarian actions.

Mr. COHN. Did you know the organization was Communist dominated at that time?

Miss WEBSTER. No, I would like to say that in connection with all these organizations which you have asked me about, the only two with which I had any connection to signify in any way was the National Council of American-Soviet Friendship, which I said I was chairman of the Theatre Committee, and the Joint Anti-Fascist Refugee Committee, for which I made appeals for funds for charitable purposes on several occasions—I would say during, 1943 to 1947. I am very willing to elaborate the reasons why I did that.

I would like to state now that I, myself, did none of those things through any influence on me of Communists or communism and that to my knowledge, and as far as I was aware, those organizations were not at that time dominated or used for Communist pur-

poses and the reasons for which I was connected with them was not for Communistic purposes.

Senator McCLELLAN. As I gathered from your testimony, it is not a part of your regular duties to pass on and approve applicants for this Exchange Student Service for the Fulbright Scholarship?

Miss WEBSTER. No, sir. My understanding is that the relevant committee—the International Institute of Education—invites experts in the different fields to pass on the qualifications of applicants in the different fields. I could give you some of the names of the people who have been associated with me.

Senator McCLELLAN. Primarily, you were only called in in the theatre field, is that right?

Miss WEBSTER. That is correct.

Senator McCLELLAN. You have not had responsibility for or an assignment to pass upon student applicants other than in that area?

Miss WEBSTER. No, sir.

Senator McCLELLAN. You would not be asked to pass on teachers?

Miss WEBSTER. No, sir.

Senator McCLELLAN. As I understand it, the judges or the jurors, as you called them, hear an audition from the applicant, then you report with your recommendations as to what the jury or the judges conclude with respect to their talent and possible suitability, etc.

Miss WEBSTER. Yes, sir.

Senator McCLELLAN. What number would you say Miss Webster, you have—

Miss WEBSTER. As I told you, Senator, this past year, December 1952 and January 1953, the pattern was a little different because we sent through the, I think, already sifted applications, but I would say there may have been—we met for three sessions of approximately two to three hours each. I suppose at each session we went over the applications of about twenty to twenty-five candidates. Maybe that is putting it a little high. I would say not over twenty. Other years I have been only present at the acting auditions, which was only a further process of sifting and there were only perhaps a dozen.

Senator McCLELLAN. Then in your position you haven't had the final decision to make as to whether applicants are accepted or rejected?

Miss WEBSTER. No, sir.

Senator McCLELLAN. That has not been your responsibility at any time—only to act in an observing capacity and submit recommendations?

Miss WEBSTER. Yes, sir.

Senator JACKSON. Did you ever join any of these groups knowing at the time that they were Communist fronts or dominated by the Communist party?

Miss WEBSTER. At no time, sir.

Senator JACKSON. Have you ever expressed at any time Communist sympathy or sympathy with the Communist movement?

Miss WEBSTER. I have always been opposed to the Communist philosophy, its practices. It is a horror to me. In such a society I wouldn't last a week.

Senator JACKSON. And you feel that you are loyal to this country in every respect?

Miss WEBSTER. I must affirm again my complete American loyalty and I have done nothing I can look back upon with shame. I have done many things, as I started to tell Mr. Cohn, such as work for the Red Cross and Treasury Bond Drives, from which I hold awards. I have helped organizations and committees, the Iron Curtain Refugee thing.

Senator JACKSON. What is that?

Miss WEBSTER. That is the society to take care of the people who get out from behind the Iron Curtain. I have had no connection with the workings but I have made contributions. The American Veterans and Gold Star Wives.

Senator JACKSON. Do you feel from the reading of the record that you might have been taken in by some of that group?

Miss WEBSTER. I couldn't deny that possibility.

I think that everybody who has ever known me and worked with me, my theatre record and my record in public life, would know that I would be the last person in the world to countenance communism. No person has ever admitted to me that they were a Communist. I think if they were Communists at the time I was working for them, such Communistic tendencies were carefully and deliberately concealed.

Senator JACKSON. And you have never knowingly associated with anyone you know to be a Communist?

Miss WEBSTER. I never have, no, sir.

The CHAIRMAN. Mr. Cohn—

Senator MCCLELLAN. While I have been here the witness has been very frank with no reservations that I could see.

Senator JACKSON. I sort of have the feeling you may have been taken in by some of the groups. I want to say with Senator McClellan that I think you have been very forthright and very fair in trying to answer the questions.

Miss WEBSTER. Thank you, sir.

Mr. COHN. Did I ask you about the Civil Rights Congress?

Miss WEBSTER. I refused to join the board. I did make one or two contributions. When they asked me to join them, I refused to.

Mr. COHN. Did you sign a letter prepared by the Civil Rights Congress attacking the Subversive Control Act of 1948, which letter was published with your signature in the *Daily Worker*?

Miss WEBSTER. I would think that extremely doubtful.

Mr. COHN. Did you object to the Subversive Control Act?

Miss WEBSTER. Which was the Subversive Control Act? There were so many of them.

Mr. COHN. That is all, Miss Webster.

[Whereupon the hearing adjourned.]



## STATE DEPARTMENT TEACHER-STUDENT EXCHANGE PROGRAM

[EDITOR'S NOTE.—The composer Aaron Copland (1900–1990), whose works included *Billy the Kid*, *Lincoln Portrait*, *Rodeo*, and *Appalachian Spring*, won a Pulitzer Prize in 1944 and an Academy Award in 1950. Because he had gone to Italy on a Fulbright scholarship in 1951, the subcommittee questioned him about his past political associations. His oral history, published as Aaron Copland and Vivian Perlis, *Copland, 1900 through 1942* (New York: St. Martin's, 1984), and *Copland Since 1943* (New York: St. Martin's, 1989) acknowledged that he had been a "fellow traveler" in the 1930s because "it seemed the thing to do at the time," but stated that he had never joined a political party.

Following the closed hearing, Copland issued a public statement: "On late Friday afternoon, I received a telegram from the Senate Permanent Subcommittee on Investigations to appear as a witness. I did. I answered to the best of my ability all of the questions which were asked me. I testified under oath that I have never supported, and am now opposed to, the limitations put on freedom by the Soviet Union. . . . My relationships with the United States Government were originally with the Music Advisory Committee to the Coordinator of Inter American Affairs and later as a lecturer in music in South America and as a Fulbright Professor. In these capacities my work was limited to the technical aspects of music." The subcommittee never called him to testify in public. Aaron Copland received the Presidential Medal of Freedom in 1964 and a Congressional Gold Medal in 1986.]

TUESDAY, MAY 26, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
Washington, DC.

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:30 p.m. in the Office of the District Committee, the Capitol, Senator Joseph R. McCarthy presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator John L. McClellan, Democrat, Arkansas.

Present also: Roy M. Cohn, chief counsel; Donald A. Surine, assistant counsel; Ruth Young Watt, chief clerk; Mason Drury, Senate liaison officer, State Department.

### TESTIMONY OF AARON COPLAND (ACCOMPANIED BY HIS COUNSEL, CHARLES GLOVER)

The CHAIRMAN. Will you stand and raise your right hand.

Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COPLAND. I do.

The CHAIRMAN. And your counsel's name?

Mr. COPLAND. Charles Glover. G-l-o-v-e-r.

The CHAIRMAN. Mr. Glover, I think this is the first time you have appeared as counsel before this committee, so I will tell you the

rules of the committee. You can advise as freely as you care to with your client. You can discuss any matter he cares to during the testimony. If at any time you feel you want a private conference, we will arrange a room. Counsel is not allowed to take any part in the proceedings other than to consult with his client.

Mr. Copland, you are residing at—

Mr. COPLAND. Shady Lane Farm, Ossining, New York.

The CHAIRMAN. And you are a musician, composer and lecturer?

Mr. COPLAND. Yes.

The CHAIRMAN. Have you ever had any connection with the exchange program?

Mr. COPLAND. Yes, I have.

The CHAIRMAN. Would you tell us what that connection has been?

Mr. COPLAND. I was connected with the program on three different occasions, I believe. The first occasion I was a member of the Music Advisory Board of the State Department, and on the second occasion I was sent by Grant-in-Aid to Latin America to give lectures and concerts about American music, and on the third occasion I was a Fulbright professor in Italy for the same purpose.

The CHAIRMAN. When were you a lecturer in Italy?

Mr. COPLAND. 1951.

The CHAIRMAN. Now, Mr. Copland, have you ever been a Communist?

Mr. COPLAND. No, I have not been a Communist in the past and I am not now a Communist.

The CHAIRMAN. Have you ever been a Communist sympathizer?

Mr. COPLAND. I am not sure that I would be able to say what you mean by the word "sympathizer." From my impression of it I have never thought of myself as a Communist sympathizer.

The CHAIRMAN. You did not.

Mr. COPLAND. I did not.

The CHAIRMAN. Did you ever attend any Communist meetings?

Mr. COPLAND. I never attended any specific Communist party function of any kind.

The CHAIRMAN. Did you ever attend a Communist meeting?

Mr. COPLAND. I am afraid I don't know how you define a Communist meeting.

The CHAIRMAN. A meeting you knew then or now had been called by the Communist party and sponsored by the Communist party.

Mr. COPLAND. Not that I would know of. No.

The CHAIRMAN. Did you ever attend a meeting of which a major or sizable number of those in attendance were Communists?

Mr. COPLAND. Not to my knowledge.

The CHAIRMAN. Were you ever solicited to join the Communist party?

Mr. COPLAND. No.

The CHAIRMAN. Did anyone ever discuss with you the possibility of your joining the Communist party?

Mr. COPLAND. Not that I recall.

The CHAIRMAN. I know that every man has a different type of memory, so we can't ask you to evaluate your memory. Would it seem logical that were you asked to join the Communist party, you would remember?

Mr. COPLAND. If I had been asked to? Not unless it had some significance in my mind.

The CHAIRMAN. So your answer at this time is that you can't say definitely whether you have been asked to join the Communist party or not?

Mr. COPLAND. No.

The CHAIRMAN. Are any of your close friends Communists?

Mr. COPLAND. Not to my knowledge.

The CHAIRMAN. Do you know any members of the Communist party who are Communists?

Mr. COPLAND. I don't know any member of the Communist party, as far as I know.

The CHAIRMAN. I may say one of the reasons you are here today is because of the part you played in the exchange program lecturing, etc., and you have a public record of association with organizations officially listed by the attorney general. As the Communist party record is extremely long, I think counsel will want to ask you some questions on that.

May I give you some advice. You have a lawyer here. There are witnesses who come before this committee and often indulge in the assumption that they can avoid giving us the facts. Those who underestimate the work the staff has done in the past end up occasionally before a grand jury for perjury, so I suggest when counsel questions you about these matters that you tell the truth or take advantage of the Fifth Amendment.

Mr. COPLAND. Senator McCarthy, I would like to say now, I received a telegram to be here Friday. The telegram gave me no hint as to why I was coming. If I am to be questioned on affiliations over a period of many years it is practically impossible without some kind of preparation to be able to answer definitely one way or another when I was and what I was connected with. This comes as a complete surprise.

The CHAIRMAN. May I say that during the hearing if you feel you need more time for preparation, we will adjourn and give you that time. We have no desire whatsoever to have the witness commit perjury because of lack of preparation. If you feel you can't answer these questions concerning your Communist affiliations, Communist connections, if you need more time, we will give you more time.

Mr. COPLAND. May I say one more word. I came here with the intention of answering honestly all the questions put to me. If I am unable to do that, it is the fact that memory slips in different ways over a long period of time.

Mr. COHN. The record states that you signed a letter to the president urging the United States declare war on Finland. This statement was sponsored by the Council of American-Soviet Relations.

Mr. COPLAND. Is that a fact. Do you know when that was?

Mr. COHN. Do you know if you signed such a statement?

Mr. COPLAND. I have no memory of that. I can't say positively.

Mr. COHN. This was during the trouble between the Soviet Union and Finland. That would be in the late thirties.

Mr. COPLAND. I am sorry but I couldn't say positively. It seems highly unlikely.

Mr. COHN. What was your view on the trouble between the Soviet Union and Finland?

The CHAIRMAN. May I rephrase that, Roy. Did you feel at that time we should declare war on Finland?

Mr. COPLAND. Senator McCarthy, I am in no position—I spend my days writing symphonies, concertos, ballads, and I am not a political thinker. My relation has been extremely tangent.

The CHAIRMAN. We want to know whether you signed this letter to the president urging that we declare war on Finland—whether you are a musician or not. We now find that you are lecturing with the stamp of approval of the United States government and we would like to check on these things. This is one small item. There is a long record of apparent Communist activities. Now you say you don't remember signing the letter.

Just to refresh your memory, may I ask, did you feel at the time the letter was signed by you that we should declare war on Finland?

Mr. COPLAND. I would say the thought would be extremely uncharacteristic of me. I have never thought that the declaration of war would solve, in my opinion, serious problems. I would say I was a man of hope for a peaceful solution.

The CHAIRMAN. Do you think someone forged your name?

Mr. COPLAND. I wouldn't know.

The CHAIRMAN. Have you heard before that you signed such a letter?

Mr. COPLAND. No.

The CHAIRMAN. This is the first time it has been brought to your attention?

Mr. COPLAND. As far as I know.

The CHAIRMAN. You have no recollection of such a letter to the president?

Mr. COPLAND. I have no recollection of it.

The CHAIRMAN. Did you ever attend any meetings at which this matter was the subject of conversation?

Mr. COPLAND. Not that I remember.

Mr. COHN. What was your view of the Hitler-Stalin Pact—1939 to 1941?

Mr. COPLAND. I don't remember any specific view of it.

Mr. COHN. You are listed as a sponsor of the Schappes Defense Committee. Morris Schappes, as you might recall, is a teacher at City College, New York, and has been a witness before this committee in the last couple of months. He denied Communist party membership, was convicted of perjury and sentenced to jail. The Schappes committee was organized to secure his release from jail. You are listed as a sponsor of that committee. Do you recall that?

Mr. COPLAND. No, I do not recall that. I know they use the names of well-known men to support their cause without authorization.

Mr. COHN. Do you recall the Schappes case?

Mr. COPLAND. Vaguely.

Mr. COHN. Have you ever met Professor Schappes?

Mr. COPLAND. Not to my knowledge.

Mr. COHN. Do you think they used your name without your authorization?

Mr. COPLAND. I think it very possible.

The CHAIRMAN. Did you authorize the use of your name by any organization that has been listed by the attorney general or the House Un-American Activities Committee?

Mr. COPLAND. As far as I know, I lent my name to organizations which were subsequently listed. I don't know now that I lent it in any cases after it was listed.

Mr. COHN. Of course, a listing of the date does not signify the date it became subversive. A listing is made on the basis of past activities of the organization. If the attorney general lists an organization in September 1948, it doesn't mean that was when it was found subversive. It means that on that date a review of the activities of the organization was completed and found to be subversive.

Mr. COPLAND. I didn't necessarily know about that.

Mr. COHN. What organization did you sponsor, allow to use your name, contribute to or help in any way who were then or were subsequently listed by the attorney general as Communist fronts?

Mr. COPLAND. I would have to refer to my papers. May I say that I have never been shown by any official committee of any sort or questioned about this list. I heard about it through an inadvertent source. I haven't had the time or possibility of knowing whether it is complete. I did it rather hastily since Friday. I can't say positively.

The CHAIRMAN. Give us what you have and you can complete it later on.

I may say that I can understand a man who has got to depend upon the government for part of his income to have accepted a job with the government, perhaps knowing he had joined these front organizations, but it seems you have none of these qualifications and have been rather active in a number of these fronts.

Do you care to give us the list?

Mr. COPLAND. I think, Senator McCarthy, in fairness to me and my activity in relation to the Department of State, it was not primarily a financial relationship. I think that I was chosen because I had a unique position in American symphonic and serious music and I had a reputation as a lecturer on that subject. I, at any rate, was under the impression that I was chosen for that purpose. The payment was not the primary consideration. I was trying to help spread in other countries what we American composers were doing.

Senator McCLELLAN. Were you employed by the federal government—by the State Department?

Mr. COPLAND. I believe it was in the program of interchange of persons. I don't know if that is an employee—

Senator McCLELLAN. Were you paid by the government?

Mr. COPLAND. I was paid by the Department of State interchange of persons.

Senator McCLELLAN. Over what period of time?

Mr. COPLAND. Are you referring now to the non-paid advisory capacity?

Senator McCLELLAN. Give us both. I want to get both in the record.

Mr. COPLAND. I was a member of the Advisory Committee on Music, Department of State between July 1, 1950 and June 30, 1951.

Senator McCLELLAN. Did you receive any pay for that?

Mr. COPLAND. No. Except the per diem expenses.

Senator McCLELLAN. How much was the per diem?

Mr. COPLAND. My memory may not be right. I think it was about \$10.00 a day.

I was also a member of the same advisory committee from September 8, 1941 to June 30, 1942. I was also a music advisor to Nelson Rockefeller's committee when he was coordinator of Inter-American Affairs and that music advisory post was renewed to June 1943. As far as I know, that was the end of the music advisory capacity.

Senator McCLELLAN. Did you receive a salary?

Mr. COPLAND. No. That was not a government job.

I was appointed visiting lecturer on music in Brazil, Argentina, etc., by the Grant-In-Aid at a salary of \$500.00 a month over a period of three months around August or September of 1947.

Senator McCLELLAN. Was that plus expenses?

Mr. COPLAND. I can't quite remember. It may have been per diem expenses when traveling.

Senator MUNDT. You did secure traveling expenses for that?

Mr. COPLAND. Yes, sir.

Senator MUNDT. And per diem also?

Mr. COPLAND. Yes.

Senator MUNDT. What was the per diem?

Mr. COPLAND. It may have been eight or ten dollars a day. My compensation was \$500.00 a month.

I was given a Fulbright professorship for six months to Italy from January to June of 1951 at a salary of \$3,000 for six months, plus transportation to and from.

Senator MUNDT. Did you get \$3,000 from the State Department or the difference between what the Italian University paid you and what you received over here.

Mr. COPLAND. I was paid by the embassy in Rome. I wasn't attached to the university. I was attached to the American Academy in Rome and they housed me, but I was paid at the embassy itself.

Mr. COHN. Did you have a security clearance before you undertook this?

Mr. COPLAND. One that I knew about, no.

Mr. COHN. Did you have to fill out a form prior to receiving this appointment?

Mr. COPLAND. No.

Mr. COHN. None at all.

Mr. COPLAND. I am not sure there were none at all.

Mr. COHN. Did you go under Public Law 402, the Smith-Mundt Bill?

Mr. COPLAND. No. I knew of the bill, of course.

The CHAIRMAN. Could I ask you now about some of your activities. As I said, according to the records, you have what appears to be one of the longest Communist-front records of any one we have had here.

Is it correct that you signed some statement to President Roosevelt defending the Communist party?

Mr. COPLAND. I have no memory of that but I may have.

The CHAIRMAN. Was that your feeling at that time? Did you feel the Communist party should be defended?

Mr. COPLAND. Well, it would certainly depend on what basis. For example, if someone wanted to have them outlawed to go underground, I might have. I don't think they should be outlawed to go underground, but left above board.

The CHAIRMAN. This is not outlawing the Communist party. This is a statement defending the Communist party.

Mr. COPLAND. I would certainly have to have further time to study the letter, the nature of the letter and what I remember about it.

May I say the list I got from the *Congressional Record*, almost all of these affiliations have to do with sponsoring of something, the signing of protests, or the signing of a statement in favor or against something, and that in this connection, if I had them or didn't have them, I say in my mind they are very superficial things. They consisted of my receiving in the mail in the morning a request of some kind or a list of names, which I judged solely on its merits quite aside from my being able to judge whether that was a Communist front. I must say that when I first saw this list I was amazed that I was connected with this many things. I consider this list gives a false idea of my activities as a musician. It was a very small part of my existence. It consisted of my signing my name to a protest or statement, which I thought I had a right to do as an American citizen.

The CHAIRMAN. You have a right to defend communism or the Communist party—Hanns Eisler or anything else. You have a perfect right to do it, but the question is why were you selected as a lecturer when you exercised that right so often.

Let me ask you this question. Before you were hired as a lecturer to tour South America, did anyone ask you to explain your membership in or sponsorship of these various Communist front movements?

Mr. COPLAND. No, and I think the reason was that they were too superficial. No one took them seriously, and I think they were justified in not taking them seriously. In view of my position in the musical world and a teacher in the musical world, most people would think they would know whether or not I was a Communist. The question never came up.

The CHAIRMAN. Would you give us that list?

Mr. COPLAND. May I first, Senator, amend a prior answer I gave in regard to a petition to declare war on Finland. It occurred to me that I did have knowledge of that. I read it in the *Congressional Record*. It had no date as to when it was signed or any particular information as to what went into the petition, therefore, I am afraid I just ignored that I had seen it.

The CHAIRMAN. Now, give us that list.

Mr. COPLAND. In order to help matters, could I have the list read from there so I could give you my list.

The CHAIRMAN. You give us your list first.

Mr. COPLAND. This is only a summary.

The CHAIRMAN. You won't be cut off. You can take all the time you want.

Mr. COPLAND. I can only definitely say that I was a member of the National Council of American-Soviet Friendship during the years that the Soviet Union was an ally in the war and for some years thereafter, I don't have the precise date. I joined the Music Committee of that Council of American-Soviet Friendship in order to help an understanding between the two countries through musical interchange. It was in no way, as far as I was concerned, a political move. At that time I had no knowledge that the National Council of American Soviet Friendship was a Communist front. I do know that subsequently it was solicited by the attorney general, and on the basis of that I formally resigned.

The CHAIRMAN. How did you resign?

Mr. COPLAND. By letter.

The CHAIRMAN. Do you have a copy?

Mr. COPLAND. I may have.

The CHAIRMAN. You don't have a copy with you?

Mr. COPLAND. No.

Senator MUNDT. What date was that?

Mr. COPLAND. That was, I believe, June 1950.

The CHAIRMAN. It was cited long before that.

Mr. COPLAND. Was it? I don't know.

The CHAIRMAN. Do you know when it was cited? I gather you resigned because you found it was cited. Is that correct?

Mr. COPLAND. That is my recollection of events, yes.

The CHAIRMAN. Did you resign as soon as you heard it was cited?

Mr. COPLAND. Well, there was some question in my mind as to whether or not I was still a member because the Music Committee resigned as a body—at any rate they left and set up their own organization—the American-Soviet Music Society.

The CHAIRMAN. When was this set up?

Mr. COPLAND. The exact date escapes me. It was probably 1945 or 1946.

The CHAIRMAN. Can you give us the next front?

Mr. COPLAND. May I emphasize again—

The CHAIRMAN. Will you read them and then you can explain your participation in each one, the source also and the date. Give us the names of the organizations and then you can give us any explanations you care to. If you care to have me read them, I will. Hand me the list of fronts. [reading:]

1. The American League of War and Fascism
2. Advisory Board of Frontier Films
3. Entertainer at the American Music Alliance of Friends of the Abraham Lincoln Brigade
4. Entertainer of *New Masses* Benefit
5. Sponsor New York Committee for Protection of the Foreign Born
6. Signer, Petition American Committee for Democracy and Intellectual Freedom
7. Signed Statement to FDR Defending the Communist party
8. Signer of appeal for Sam Darcy, National Federation for Constitutional Liberties
9. Sponsor, Citizens Committee for Harry Bridges
10. Sponsor, Artists Front to Win the War

11. Sponsor, letter for Harry Bridges by the National Federation of Constitutional Liberties
  12. Dinner Sponsor of the Joint Anti-Fascist Refugee Committee
  13. Sponsor, Called Conference of American-Soviet Friendship, National Council American Soviet Friendship
  14. Signer, Reichstag Fire Trial Anniversary Committee
  15. Signed petition for Hanns Eisler
  16. Eisler Concert sponsor
  17. Member, National Committee, National Defense of Political Prisoners
  18. Member, Committee of Professional Group for Browder Fund
  19. Member, National Committee of People's Rights
  20. Vice-Chairman and Member of the Music Committee, Council of American-Soviet Friendship
  21. Peoples Songs
  22. Independent Citizens Committee of the Arts, Sciences, Professions
  23. Win the Peace Conference
  24. American-Soviet Music Society
  25. *New Masses* contributor
  26. National Council of the Arts, Sciences and Professions
  27. Supporter, Communist Bookstore
- Senator MUNDT. Was that list prepared by you?

Mr. COPLAND. No, I did not prepare that list. I copied that list from Red Channels and the *Congressional Record* in an attempt to have some kind of preparation in coming to this committee so as to know what possible organizations my name had been connected with.

Senator MUNDT. It is not your testimony that this list is your list of fronts which you belonged to—

Mr. COPLAND. Definitely not.

The CHAIRMAN. It is not?

Mr. COPLAND. No. Any secretary could have done it for me.

Mr. COHN. I would like to state, Mr. Copland, we have checked the guide for subversive organizations and found that the National Council of American-Soviet Friendship was cited as subversive December 4, 1947.

Mr. COPLAND. May I say, December 4, 1947, to the best of my knowledge I was in Latin America on a lecture tour. It would be very unlikely that I would know.

Mr. COHN. When did you return?

Mr. COPLAND. I returned in December 1947.

Mr. COHN. You say it took you these three years to discover—

Mr. COPLAND. Well, Mr. Cohn, I don't keep track of all political points like that.

Mr. COHN. If I label your testimony correctly, you were trying to give the committee the impression that when you found this was cited as a subversive organization you resigned.

Mr. COPLAND. No. I was about to explain that the American Music Society was an off-shoot, so to speak, of the National Council of American-Soviet Friendship, and I was not sure whether I was still a member.

The CHAIRMAN. Will you go through this list now and tell us which Communist front organizations you were a member of or in whose activities you took any part?

Mr. COPLAND. Senator McCarthy, to my knowledge I have never knowingly sponsored any Communist front organization.

The CHAIRMAN. You have a list before you, which list you say was copied from other sources. Will you go down that list and first give us the name of the organizations to which you had some affiliation and then you can come back and make any explanations you care to to your own knowledge.

Mr. COPLAND. To my own knowledge the only organization to which I, as a member, belonged was the National Council of American-Soviet Friendship and the American-Soviet Music Society.

The CHAIRMAN. You used the word "belonged."

Mr. COPLAND. As far as I know at this time, taking the briefness of time—I may have to amend that later.

The CHAIRMAN. You say organizations to which you belonged. Let's broaden that a bit and say organizations in which you were in any way affiliated, either a sponsor of their activities or in any other fashion.

Mr. COPLAND. There is a great distinction in my mind in being a member and signing a paper.

The CHAIRMAN. There might be a distinction. I want you to answer the question. I have asked you to list the organizations—those named as Communist fronts—with which you were in any way affiliated. Then you can explain your affiliations as much as you want to.

I just want to know the names now.

Mr. COPLAND. I could not under oath with any certainty say that I was a member.

The CHAIRMAN. That is not what I asked you.

Mr. COPLAND. Then I haven't understood the question.

The CHAIRMAN. I think it is very simple. I said any organizations in which you were in any way affiliated.

Mr. COPLAND. As far as I can remember, without further study, I am not prepared to say that I was affiliated with any but the ones mentioned.

The CHAIRMAN. You said with certainty. Do you have any reason to believe that you were affiliated with any of the others?

Mr. COPLAND. I have reason to believe that I was a sponsor of a concert devoted to Hanns Eisler's music in 1948.

The CHAIRMAN. In 1948.

Mr. COPLAND. 1948.

The CHAIRMAN. Anything else?

Mr. COPLAND. Nothing else that I with certainty can—

The CHAIRMAN. Not certainty now—that you have any reason to believe you were affiliated with any of these other organizations?

Mr. COPLAND. No. In view of the shortness of time and the seriousness of this question I am afraid I would have to ask for further time to study and investigate and refresh my mind.

The CHAIRMAN. Then at this time you have no recollection of any affiliation with any of the other organizations listed upon the two sheets which I just read into the record.

Mr. COPLAND. No recollection other than the fact that some of these organizations are names that I have seen on occasion.

The CHAIRMAN. Did you sign a petition to the attorney general in behalf of Hanns Eisler?

Mr. COPLAND. I may have.

The CHAIRMAN. Do you recall whether you did or not?

Mr. COPLAND. Not positively, no.

The CHAIRMAN. Did you know Hanns Eisler had been named as a Communist agent at that time?

Mr. COPLAND. No, I didn't.

The CHAIRMAN. When did you first learn that Hanns Eisler had been named as a Communist agent?

Mr. COPLAND. I never heard that he had been named as a Communist agent. I never heard that he had been named. I knew that he had a reputation in Germany in the twenties of having been a Communist, but I understood that was in the past and since his arrival in America and the Rockefeller grant of \$20,000, it was my impression that the Communist element in him was in the past.

The CHAIRMAN. Did you feel that you knew enough about the Hanns Eisler case to petition the attorney general in his behalf?

Mr. COPLAND. I would have to study what the petition was and think about the problem.

The CHAIRMAN. Were you well-acquainted with Hanns Eisler?

Mr. COPLAND. No.

The CHAIRMAN. Who asked you to sign the petition?

Mr. COPLAND. I have no memory if I did sign it.

The CHAIRMAN. This was not too long ago. It was reported in the Daily Worker, December 17, 1947. You say you can't remember whether you signed it or not or who asked you to sign it in 1947?

Mr. COPLAND. Well, that was six years ago. I might have been asked to sign it. I can't be certain.

The CHAIRMAN. In any event, your testimony is that you did not know enough about the case to advise the attorney general as to what he should do?

Mr. COPLAND. That is my impression at this time.

The CHAIRMAN. So that if you signed it you were either signing it out of sympathy for Eisler, the Communist, or you were duped into doing it?

Mr. COPLAND. I don't think that is a fair summary of my feeling. I have never sympathized with Communists as such. My interest in Eisler was purely as a musician. I think he is, in spite of his political ideas, a great musician and my signing of the concert sponsorship was in relation to that feeling.

The CHAIRMAN. Concert sponsorship? It is the petition I am talking about. Do you use the same term so many witnesses use? Do you refer to political beliefs—do you consider the Communist party as a political party in the American sense?

Mr. COPLAND. In the American sense? Not since the designation of the Supreme Court.

The CHAIRMAN. Was this a benefit for Eisler at which you appeared on February 28th, 1948?

Mr. COPLAND. I don't remember.

Pardon me. Will you repeat the question?

The CHAIRMAN. Did you appear at an Eisler program at Town Hall, New York, on February 28, 1948?

Mr. COPLAND. No, I did not. That was purely sponsorship.

The CHAIRMAN. Did you sponsor that?

Mr. COPLAND. I was one of the sponsors.

The CHAIRMAN. Did you know at that time he was in difficulty with the law enforcement agencies of this country for underground or espionage activities?

Mr. COPLAND. I may have known that, but my sponsorship was in terms of music only and him as a musician.

The CHAIRMAN. Would you feel today if you knew an outstanding musician who was also a member of the Communist espionage ring would you sponsor a benefit for him?

Mr. COPLAND. Certainly not.

The CHAIRMAN. Then do you think it was improper to do it in 1948?

Mr. COPLAND. 1948? I had no such knowledge in 1948.

The CHAIRMAN. Well, if you signed a petition to the attorney general in 1947—

Mr. COPLAND. Senator McCarthy, I didn't say I signed it.

Mr. COHN. Do you think your signature was forged on all these things?

Mr. COPLAND. I don't know.

The CHAIRMAN. Do you feel a man using common sense, Mr. Copland, apparently signing the petition to the attorney general advising him what he should do in the Eisler case—who was accused of espionage then—do you think the following February—this was in December that the petition was signed and this was about two months later that you sponsored a benefit for this man—you certainly knew of his alleged espionage activities.

Mr. COPLAND. The concert was not a benefit as far as I know, and I took no part in the concert other than just sponsor it. I didn't deny or affirm signing the petition. I said that in relation to all these organizations I must have more time to give consideration to them. I have had three days since receiving the telegram and finding myself here. I am trying to do my best to remember things. I am under oath and want to be cautious.

The CHAIRMAN. We will give you a chance to refresh your recollection.

Do you know whether you were affiliated with the American Committee for Democracy and Intellectual Freedom?

Mr. COPLAND. No, I don't.

The CHAIRMAN. Did you ever take part in any organization activities concerning the defense of Communist teachers?

Mr. COPLAND. Not that I remember.

Mr. COHN. Were you in sympathy with Communist teachers?

Mr. COPLAND. No, I was never in sympathy with Communist teachers.

Mr. COHN. Do you feel Communists should be allowed to teach in our schools?

Mr. COPLAND. I haven't given the matter such thought as to come up with an answer.

Mr. COHN. In other words, as of today you don't have any firm thought?

Mr. COPLAND. I would be inclined to allow the faculty of the university to decide that.

The CHAIRMAN. Let's say you are on the faculty and are making a designation, would you feel Communists should be allowed to teach?

Mr. COPLAND. I couldn't give you a blanket decision on that without knowing the case.

The CHAIRMAN. Let's say the teacher is a Communist, period. Would you feel that is sufficient to bar that teacher from a job as a teacher?

Mr. COPLAND. I certainly think it would be sufficient if he were using his Communist membership to angle his teaching to further the purposes of the Communist party.

The CHAIRMAN. You have been a lecturer representing the United States in other nations. One of the reasons why we appropriate the money to pay lecturers is to enlighten people as to the American way of life and do something towards combating communism. Is it your testimony that you know nothing about the Communist movement or are you fairly well acquainted with the Communist movement?

Mr. COPLAND. It was my understanding that my lectureship was purely a musical assignment.

The CHAIRMAN. Answer my question. Do you know anything about the Communist movement?

Mr. COPLAND. I know what I read in the newspapers.

The CHAIRMAN. Are you a sponsor of the National Conference of the American Committee for the Protection of the Foreign Born?

Mr. COPLAND. Not that I know of.

The CHAIRMAN. Did you have any connection with the Fifth National Conference of the American Committee for Protection of the Foreign Born, held in Atlantic City, New Jersey, in March 1941?

Mr. COPLAND. Not at this time, I don't recall that.

The CHAIRMAN. Do you recall any connection with that conference?

Mr. COPLAND. Not at this time I don't.

The CHAIRMAN. As far as you know you had no connection with it at all?

Mr. COPLAND. No.

The CHAIRMAN. Just for your information, the record shows that as far back as 1941 the program of the Fifth National Conference of the American Committee for Protection of Foreign Born named you as a sponsor. Later, a letterhead of the New York Committee for Protection of the Foreign Born on January 2, 1941 showed you as a sponsor, and later in 1943 you were again listed as a sponsor.

I might say that this organization has been cited by the Attorney General and by the House Un-American Activities Committee as one of the oldest auxiliaries of the Communist party in the United States. Does that refresh your recollection?

Mr. COPLAND. May I point out that there is a notation here that it was cited in 1948, which is, I believe, seven years after the dates you just quoted.

The CHAIRMAN. Mr. Copland, the date of citation is not important. It is no more important than the date a man was convicted of robbing a bank. The question that is important is whether or not

you participated in robbing the bank, not whether another man participated in robbing the bank and was convicted. Any man with normal intelligence knows it is wrong to rob a bank. Even before the citations it is sometimes known that the organization is a Communist front—a front for the Communist party.

Mr. COPLAND. As far as I know—

The CHAIRMAN. I am not criticizing you for joining these organizations. You may have been so naive that you didn't know they were Communist controlled or you may have done it purposely, but I can't believe that this very long list used your name time after time as a sponsor of all these outstanding fronts. I can't believe that they forged your name to these petitions, borrowed your name unlawfully time after time. However, I am only interested in knowing why they selected you as a lecturer when we have many other people available as lecturers.

May I say to you there is nothing illegal, as far as I know, about belonging to Communist fronts and there is nothing illegal about accepting employment no matter how sympathetic you were—I am not saying you were—There is nothing illegal about accepting employment in the information program, but we must find out why a man of this tremendous activity in Communist fronts would be selected.

Mr. COPLAND. May I reply on two points? I think I was selected because of the fact that my employment as a lecturer had nothing to do with anything but music.

The CHAIRMAN. If you were a member of the Communist party, let's assume you were, and you were selected to lecture you would be bound to try wherever you could to sell the Communist idea, wouldn't you?

Mr. COPLAND. No doubt.

Mr. CHAIRMAN. So that, I believe you and I would agree that in selecting a lecturer, even though they are an outstanding musician, before we put our stamp of approval on them we should find out whether they are a Communist or sympathetic to the Communist cause. Is that right?

Mr. COPLAND. Well, I would certainly hesitate to send abroad a man who is a Communist sympathizer or a Communist in order to lecture. My impression was that my political opinions, no matter how vague they may have been, were not in question as far as the Department of State was concerned. I assume if they had been in question I would have had some kind of going over. The reason I am so vague about these various organizations is because my relationship, if any, was so vague. It was not a question of my going to meetings or being active in any way. I am active in many ways—music organizations. They are things which my whole life has been devoted to and these organizations, such as they are, when I see the word sponsor, entertainer, supporter or protestor, to me that means that I got a penny postcard and sent it in, and that is why my memory of it is so vague. That is why I think this list, even if I were what this list said I was connected with as a sponsor, it would give a false impression of the situation—of myself as a man and as a citizen, and that is why I think the State Department wasn't worried.

The CHAIRMAN. You were never asked about any of these Communist-front activities?

Mr. COPLAND. Not to my memory.

The CHAIRMAN. I may say, for your information, you did get security clearance.

Mr. COPLAND. Did I really? How does one get security clearance?

The CHAIRMAN. You knew the *New Masses* was a Communist paper, I suppose.

Mr. COPLAND. I knew Communists wrote for it.

The CHAIRMAN. And Communist controlled?

Mr. COPLAND. I didn't know it was Communist controlled.

The CHAIRMAN. Did you know there were a lot of Communists in it?

Mr. COPLAND. I knew there was a considerable number.

The CHAIRMAN. Do you know now that it is Communist controlled?

Mr. COPLAND. I would suspect it.

The CHAIRMAN. Did you judge contests for the *New Masses*?

Mr. COPLAND. Well, I don't know.

The CHAIRMAN. Do you recall judging any contest for the *New Masses*?

Mr. COPLAND. I may have.

The CHAIRMAN. You don't remember?

Mr. COPLAND. Not precisely. I have a vague recollection. I see here the date is 1937. That is sixteen years ago.

The CHAIRMAN. Did you ever belong to the American League for Peace and Democracy?

Mr. COPLAND. Not to my memory.

The CHAIRMAN. Were you a committee member or sponsor of the Citizens Committee for Harry Bridges?

Mr. COPLAND. I may have been.

The CHAIRMAN. Do you recall whether you were or not?

Mr. COPLAND. No.

The CHAIRMAN. You have no recollection whatsoever of such a committee?

Mr. COPLAND. I may have seen the name before, yes.

Mr. COHN. You say you may have been. What do you base that on? You must have some recollection.

Were you on that committee? Do you know?

Mr. COPLAND. I don't know.

Mr. COHN. Do you recall the Bridges case?

Mr. COPLAND. Yes, I recall it.

Mr. COHN. Were you in sympathy with Bridges at the time?

Mr. COPLAND. I may have thought he was being pushed around. I would have to do some heavy thinking to go back to 1941 and remember what I think about Harry Bridges. He played no more part in my life than over the breakfast table—

The CHAIRMAN. Did you belong to a committee for Browder and Ford?

Mr. COPLAND. It is possible.

The CHAIRMAN. If you were a member of such a committee, you, of course, knew at the time that Browder was one of the leading Communists?

Mr. COPLAND. Yes, I knew that.

The CHAIRMAN. Did you say it was possible that you belonged to that committee?

Mr. COPLAND. I would say it is in the realm of possibility since it was 1936. I can't recall what the committee was about—what it was for—or what connection it had with Browder.

The CHAIRMAN. Did you have anything to do with the Coordinating Committee to Lift the Embargo in Spain?

Mr. COPLAND. Not that I remember.

The CHAIRMAN. You don't recall that?

Mr. COPLAND. No.

The CHAIRMAN. Did you take any part in any activities having to do with the Spanish Civil War?

Mr. COPLAND. Not that I recall now.

The CHAIRMAN. Do you belong to the American Music Alliance of the Friends of the Abraham Lincoln Brigade?

Mr. COPLAND. The fact that it is a musical committee puts it into the realm of possibility, but I have no definite memory of it.

The CHAIRMAN. Do you know whether you entertained the American Music Alliance of the Friends of the Abraham Lincoln Brigade?

Mr. COPLAND. In what capacity?

The CHAIRMAN. You will have to tell me that.

Mr. COPLAND. I don't know exactly how I could entertain them, but I have no memory of entertaining them.

The CHAIRMAN. Were you a member of the advisory board of Frontier Films?

Mr. COPLAND. I can't remember it.

The CHAIRMAN. Do you recall any connection with Frontier Films?

Mr. COPLAND. I believe it is the organization that produced documentaries. What date was that?

The CHAIRMAN. You will have to tell me. I don't know.

Mr. COPLAND. I don't know either—unless it is in the *Congressional Record*.

The CHAIRMAN. If you were on the advisory board of a film company, wouldn't you remember it unless you read it in the *Congressional Record*?

Mr. COPLAND. I am on the advisory committee of many organizations where my name is simply listed and no use made of advice. As far as I know I never met with Frontier Films in order to advise them about anything.

The CHAIRMAN. It might be of some benefit if you supply us the anti-Communist organizations that you were affiliated with.

Mr. COPLAND. I can't off-hand give you the name of such things without further study, but I can tell you that since the National Council of American-Soviet Friendship, I have not been associated with any organization which has been cited in any way. I have deliberately taken the stand that in the present situation I do not wish to be associated in any way with an organization that would leave people to think that I had Communist sympathies, which I do not have.

The CHAIRMAN. Do you know Edward K. Barsky?

Mr. COPLAND. No, I did not to my knowledge.

The CHAIRMAN. You never met him?

Mr. COPLAND. Not that I remember.

The CHAIRMAN. I think you testified that you have never been a member of the Communist party.

Mr. COPLAND. That is right.

The CHAIRMAN. And you testified that you have never engaged in espionage or sabotage—let me ask you. Have you ever engaged in espionage?

Mr. COPLAND. No.

The CHAIRMAN. Sabotage?

Mr. COPLAND. No.

The CHAIRMAN. Were you a member of the National Committee for People's Rights?

Mr. COPLAND. I couldn't say. I have no recollection of that. May I say again, in relation to specific questions, I must have more time. It is extremely short time.

The CHAIRMAN. Unless I ask the questions you won't know what to think about. You will have an opportunity to go over the record and supply memory gaps if you find any.

Were you a member or sponsor of the National Committee for the Defense of Political Prisoners?

Mr. COPLAND. I have no memory of that.

The CHAIRMAN. You don't remember that at all?

Mr. COPLAND. No. May I say also in fairness to myself, my interest in connection with any organizations was in no way my interest in their political slant, except that I never knowingly signed my name to anything which I thought was controlled by Communists. I had no fear of sitting down at a table with a known Communist because I was so sure of my position as a loyal American.

The CHAIRMAN. With what known Communists have you sat down at a table?

Mr. COPLAND. That question is absolutely impossible to answer because as far as I know no one has told me that they are a Communist. I may have suspected it.

The CHAIRMAN. In other words, you don't recall sitting down at a table with any known Communists?

Mr. COPLAND. Yes, aside from Russian Communists. I assume they are Communists.

The CHAIRMAN. Have you ever sat down at a table with Earl Browder?

Mr. COPLAND. Not to my knowledge.

The CHAIRMAN. Did you sign an open letter to the mayor of Stalingrad?

Mr. COPLAND. I can't remember that.

The CHAIRMAN. Did you sign a statement in support of Henry Wallace, which statement was issued by the National Council of Arts, Sciences and Professions?

Mr. COPLAND. What would be the date?

The CHAIRMAN. 1948.

Mr. COPLAND. It is possible I did.

The CHAIRMAN. Were you active in the Progressive movement?

Mr. COPLAND. No.

The CHAIRMAN. Are you connected with the National Council of the Arts, Sciences and Professions?

Mr. COPLAND. I may have been on their music committee.

The CHAIRMAN. Do you have any recollection?

Mr. COPLAND. No precise recollection.

The CHAIRMAN. Does it mean anything to you? You say you may have been.

Mr. COPLAND. Well, I know that I probably received some of their literature and was aware of some of their musical activities.

The CHAIRMAN. Were you a sponsor and speaker at the Cultural and Scientific Conference for World Peace?

Mr. COPLAND. Yes, I was.

The CHAIRMAN. That was held at the Waldorf-Astoria?

Mr. COPLAND. Yes, sir.

The CHAIRMAN. Counsel should not coach the witness unless he asks for coaching.

What year was this?

Mr. COPLAND. March 1949.

Mr. COHN. Now, Mr. Copland, that conference was widely publicized in advance as a completely Communist dominated thing, but nevertheless you sponsored and attended it.

Mr. COPLAND. I sponsored it and attended it because I was very anxious to give the impression that by sitting down with Russian composers one could encourage the thought that since cultural relations were possible that perhaps diplomatic relations were possible. I did not go there to advance the Communist line or in any way encourage their operations. I went there in order to take part in a cultural panel, which included—

The CHAIRMAN. You knew that it had been widely labeled as a completely Communist movement, didn't you?

Mr. COPLAND. No, I didn't know it was a complete Communist movement at that time. I became convinced of it subsequently. I am very glad I went to that conference because it gave me first-hand knowledge in what ways the Communists were able to use such movements for their own ends. After that I refused to sign the sponsorship of any further peace conference.

The CHAIRMAN. Did you meet any Communists at that meeting other than Russian Communists?

Mr. COPLAND. Not that I know of.

The CHAIRMAN. Has the FBI or any other government intelligence agency ever interviewed you as to who you met at that conference?

Mr. COPLAND. No.

The CHAIRMAN. Will you prepare a list of the people who attended the conference for us?

Mr. COPLAND. You mean present on the panel?

The CHAIRMAN. Those who you recognized. I am not speaking of the Russians. I am speaking of Americans.

Will you prepare a list of those Americans who were present at that conference?

Mr. COPLAND. That I remember having personally seen there?

The CHAIRMAN. Yes.

Mr. COPLAND. As far as I can, I will, sir.

The CHAIRMAN. We will appreciate that. It may not be of any benefit to the committee but I assume it might be of interest to the FBI.

Mr. COHN. And you still did not resign from the Council of American-Soviet Friendship?

Mr. COPLAND. No, I didn't.

Mr. COHN. In spite of the listing two years prior to that?

Mr. COPLAND. I am not certain I knew about the listing.

Mr. COHN. You said after this conference in 1949 you signed no more petitions—had nothing to do with any Communist fronts after that?

Mr. COPLAND. To the best of my memory.

The CHAIRMAN. To refresh your recollection, in December of 1949 did you not sign a petition or an appeal sponsored by the National Federation for Constitutional Liberties, which appeal asked for the immediate dismissal of charges against Sam Adams Darcy, well-known Communist leader?

Mr. COPLAND. I have no memory of that at all.

The CHAIRMAN. If your name is on the petition, would you say it was forged?

Mr. COPLAND. You mean a hand-written signature on the petition?

The CHAIRMAN. Well, you couldn't sign it except by hand.

Mr. COPLAND. I would have to see it. I would certainly suspect it was forged.

The CHAIRMAN. You tell the committee today that you have no knowledge of signing a petition having to do with Sam Adams Darcy?

Mr. COPLAND. As far as I know.

The CHAIRMAN. You knew nothing about Sam Darcy?

Mr. COPLAND. Nothing that I know of now.

The CHAIRMAN. And you had no reason to sign a petition for Sam Darcy?

Mr. COPLAND. Not that I know of.

The CHAIRMAN. You don't remember anyone discussing the Darcy case with you?

Mr. COPLAND. Not that I know of.

The CHAIRMAN. I think I questioned you about this.

Did you sponsor an open letter to the president of the United States asking him to reconsider the order for the deportation of Harry Bridges?

Mr. COPLAND. When was that?

The CHAIRMAN. At any time.

Mr. COPLAND. I have no memory of it.

The CHAIRMAN. Were you interested in the Bridges case?

Mr. COPLAND. In the way that one is interested in any case he reads about in the papers.

The CHAIRMAN. Did you sign a letter to the president in which it stated: "it is equally essential that the attorney general's ill-advised, arbitrary, and unwarranted findings relative to the Communist party be rescinded."

Mr. COPLAND. I have no memory of such.

Mr. COHN. I wonder if we could ask Mr. Copland to sign his name for comparative reasons as all these signatures look the same.

The CHAIRMAN. Mr. Copland, you referred to signing penny postcards. You don't think that all of these alleged Communist connec-

tions or use of your name, forged or otherwise signed by you on petitions, was the result of signing penny postcards, do you?

Mr. COPLAND. It is my impression that that was the principal way in which sponsorship and such signing of petitions was furthered, and since I did not attend meetings of these organizations, it is my impression that this is the only way I might have sponsored them—through signature of some petition they sent me through the mail, either on a penny postcard saying, “Will you sign this petition” or a letter itself.

The CHAIRMAN. You don’t recall having signed any of these petitions?

Mr. COPLAND. I wouldn’t say that. I would say this at this time having been given three days notice, I would ask for an adjournment to refresh my memory.

Mr. COHN. Have you ever given money to any of these organizations we have been talking about?

Mr. COPLAND. Certainly no money of any substantial amount.

Mr. COHN. Have you ever given any?

Mr. COPLAND. I couldn’t say.

Mr. COHN. Did you ever give any money to the Communist party?

Mr. COPLAND. Not that I know of.

Mr. COHN. That is an unusual answer. I imagine if you gave money to the Communist party you would know it.

Mr. COPLAND. I am trying to be extra careful, so to speak.

That is why I am making it so tentatively.

The CHAIRMAN. I recognize that and we don’t blame you for being careful.

Mr. COPLAND. Thank you.

The CHAIRMAN. Were you an entertainer at a *New Masses* benefit?

Mr. COPLAND. I seem to have some memory of that. What date was that?

The CHAIRMAN. February 1, 1936 or 1939. I don’t know which.

Mr. COPLAND. That, I believe, was an anti-Fascist drive of some sort. I may be wrong about that.

The CHAIRMAN. Do you know that Vito Marcantonio was a member of the Communist party?

Mr. COPLAND. No, I don’t.

The CHAIRMAN. Did you belong to a committee supporting Marcantonio?

Mr. COPLAND. I have no memory of belonging to it.

The CHAIRMAN. Were you active in supporting Marcantonio?

Mr. COPLAND. No, I certainly wasn’t.

The CHAIRMAN. Do you know him?

Mr. COPLAND. No, I don’t.

The CHAIRMAN. You stated, I believe, that you don’t recall having signed a letter in defense of Harry Bridges.

Mr. COPLAND. At this time I don’t recall it.

The CHAIRMAN. Did you know Georgi Dimitrov?

Mr. COPLAND. No.

The CHAIRMAN. Did you ever hear about the Reichstag Fire Trial Anniversary Committee?

Mr. COPLAND. I can't at this time remember whether I have or not.

The CHAIRMAN. You don't recall?

Mr. COPLAND. No.

The CHAIRMAN. You don't recall ever having been affiliated with it?

Mr. COPELAND. No, not at this time I don't.

The CHAIRMAN. Were you a sponsor of the Schappes Defense Committee?

Mr. COPLAND. As far as I know I was not.

The CHAIRMAN. Did you ever hear of Schappes?

Mr. COPLAND. I may have vaguely heard of him.

Mr. COHN. You said before you had?

Mr. COPLAND. You see, I am uncertain whether I do or vaguely do. Without further opportunity to refresh my memory—

The CHAIRMAN. May I interrupt. I may say, going through all of these and where you feel that your memory is not sufficiently sharp so you can adequately answer, you will have opportunity to go over the record and supply the material which you were able to supply after your memory is refreshed.

Mr. COPLAND. Could I ask you to tell me again what you said about my having been connected with Sam Adams Darcy after the peace conference?

The CHAIRMAN. What date was that?

Mr. COPLAND. I believe the peace conference was March 1949 and you quoted the Darcy connection, if there was one, at a later date. I gather that your thought is that the Darcy petition may have been signed before that.

The CHAIRMAN. Here we are. We have it here. It appears from the report we have that you were a sponsor and speaker at the Cultural and Scientific Conference for World Peace which was held March 25-27, 1945 inclusive.

Mr. COPLAND. The other matter was considerably before that, the petition.

The CHAIRMAN. I beg your pardon.

May I amplify the record. I had previously indicated in the questioning that the Sam Darcy petition had been signed after the New York conference. I misread it. I thought it was December 1949. Actually it was December 1940. You are correct.

Mr. COPLAND. I was going to explain why I didn't resign until 1950. The music committee was organized to further relations on a musical plane with the Soviet Union. It was an off-shoot of a committee, I believe, that had to do with the State Department. At any rate, that committee itself left the National Council and set itself up as the National Soviet Music Society and since I went with the music committee, I was under the impression that I was no longer a member of the National Council. In order to be sure I had severed connections I wrote a letter in 1950.

Mr. COHN. By the way, Mr. Copland, you are awfully well prepared. I am just wondering. Let me ask you this: Prior to the phone call Friday, you had never known of any reference to you in the *Congressional Record* concerning your Communist fronts?

Mr. COPLAND. That is not my testimony.

Mr. COHN. Then, Mr. Copland, you stated this had not just come to your attention on Friday?

Mr. COPLAND. May I say that I heard through a letter that there had been a printing in the *Congressional Record* of remarks of the Honorable Fred E. Busby concerning myself.

Mr. COHN. When was that?

Mr. COPLAND. When was the *Congressional Record* of Busby's statement? It is in here for Friday, January 16, 1953, and my memory of that is that happened sometime in March or April. Subsequently a friend supplied me with a copy.

Mr. COHN. When was that?

Mr. COPLAND. I would say sometime in April.

I will also add that I was absolutely amazed at the number of entries in connection with my name.

Mr. COHN. So were we.

The CHAIRMAN. Do you feel now that your name was misused by various organizations or do you want further time to check into it?

Mr. COPLAND. I would like further time to check into it.

It is also well known that if they got your name in connection with one thing, they didn't hesitate to use it in connection with another. I would also like to say that my connection, insofar as it would show, was the direct outcome of the feelings of a musician. I was not moved by the Communist element, whatever it may have been. I was moved by specific causes to which I lent my name.

Musicians make music out of feelings aroused out of public events.

Senator MUNDT. I can't follow this line of argument. I don't see how that line of reasoning makes sense with a hatchet man like Bridges.

Mr. COPLAND. A musician, when he writes his notes he makes his music out of emotions and you can't make your music unless you are moved by events. If I sponsored a committee in relation to Bridges, I may have been misled, not through Communist leanings. If I had them, there was something about his situation that moved me.

Senator MUNDT. That would be true of anybody—any human beings, I think, not only musicians. Emotions are part of everyone's personality. That certainly stretches a point. We are all governed by the same rules of caution. When you get to Browder and Bridges, I think musicians have to go by the same code as governs other citizens.

Mr. COPLAND. We are assuming—I would like to see what it was I was supposed to have signed. I would have to know the circumstances to make any kind of sensible case.

The CHAIRMAN. Do you say now that your activities as a musician had to do with your connection with Bridges and Browder?

Mr. COPLAND. I would say that anything I signed was because of the human cause behind it that interested me—

The CHAIRMAN. Were you a good friend of Hanns Eisler?

Mr. COPLAND. No, I knew him slightly. I was not a good friend of his.

The CHAIRMAN. Did you meet him socially?

Mr. COPLAND. Yes.

The CHAIRMAN. Roughly, how many times?

Mr. COPLAND. Roughly, this is a guess, two or three times.

The CHAIRMAN. When did you last see him?

Mr. COPLAND. My impression is I last saw him in California.

The CHAIRMAN. Did you agree with the statement by Eisler that "Revolutionary music is now more powerful than ever. Its political and artistic importance is growing daily."

Mr. COPLAND. That is a vague statement. I don't know what he means by "revolutionary music."

The CHAIRMAN. Do you agree with him that there is a political importance in music?

Mr. COPLAND. I certainly would not. What the Soviet government has been trying to do in forcing their composers to write along lines favorable to themselves is absolutely wrong. It is one of the basic reasons why I could have no sympathy with such an attitude.

The CHAIRMAN. Would you say a good musician who is a Communist could be important in influencing people in favor of the Communist cause?

Mr. COPLAND. Perhaps in some indirect way.

The CHAIRMAN. One final question.

Quoting Hanns Eisler, is this a correct description of you by Eisler:

I am extremely pleased to report a considerable shift to the left among the American artistic intelligentsia. I don't think it would be an exaggeration to state that the best people in the musical world of America (with very few exceptions) share at present extremely progressive ideas.

Their names? They are Aaron Copland.

Would you say that is a correct description of you?

Mr. COPLAND. No, I would not. I would say he is using knowledge of my liberal feelings in the arts and in general to typify me as a help to his own cause.

The CHAIRMAN. Just for the record, this quotation from Eisler appears in the House Un-American Activities Committee Hearing, September 24, 25, 26, 1947, pages 36, 38, 39.

I have no further questions. How about you Mr. Cohn?

Mr. COHN. No, sir.

The CHAIRMAN. Senator Mundt?

Senator MUNDT. No.

Mr. COHN. You are reminded that you are still under subpoena and will be called again within the next week, I would assume.

[Whereupon the hearing adjourned.]



## STATE DEPARTMENT TEACHER-STUDENT EXCHANGE PROGRAM

[EDITOR'S NOTE.—Teacher, lecturer, author, and social activist Rachel Davis DuBois (1892–1993) held a doctorate in educational sociology from New York University. In 1934 she founded the Service Bureau for Education in Human Relations, later known as the Service Bureau for Intercultural Education. In 1941 she founded the Intercultural Education Workshop, incorporated in 1946 as the Workshop for Cultural Democracy, which operated until 1958. In 1952 the State Department sent her to West Germany to work with Germans who had been expelled from other nations and were trying to integrate into German society. After that experience, DuBois refocused her workshop to train “leaders of leaders,” and later she headed a program for the Southern Christian Leadership Conference to reduce racial tensions in the South. *New York Post* editor James Wechsler arranged for his attorney, Joseph Rauh, to accompany her to the executive session, and Rauh advised her: “Don’t get defensive, and always make a virtue of your action.” DuBois was not called back to testify in public.]

Dorothy Boulding Ferebee (1897–1980), a graduate of Tufts Medical School, medical director at Howard University and president of the National Council of Negro Women, had also visited Germany at the behest of the State Department. Ferebee similarly did not testify in public.]

MONDAY, JUNE 8, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:30 p.m. in the Office of the Secretary of the Senate, the Capitol, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Henry M. Jackson, Democrat, Washington.

Present also: Roy M. Cohn, chief counsel; Herbert Hawkins, investigator; Ruth Young Watt, chief clerk; Mason Drury, Senate liaison officer, State Department.

### TESTIMONY OF RACHEL DAVIS DuBOIS (ACCOMPANIED BY HER COUNSEL, JOSEPH RAUH)

The CHAIRMAN. Will you raise your right hand and be sworn, please?

Miss DuBOIS. I am a Quaker and I affirm.

The CHAIRMAN. Do you solemnly swear that in the matter now in hearing you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss DuBOIS. I do. That is my first occasion to swear.

Mr. COHN. For the record, you are Mr. Joseph Rauh?

Mr. RAUH. That is right.

Senator SYMINGTON. Mr. Rauh has been a friend of mine for many years.

Miss DuBOIS. I assume that I can have a copy of the transcript?

The CHAIRMAN. Well, it is executive session. You will be able to see a copy by coming down to room 101, or if you want an extra copy for you to have for your files, it will be necessary for you to purchase a copy.

Mr. COHN. Miss DuBois, you have had some connection with the Educational Exchange Program in the State Department?

Miss DUBOIS. Yes.

The CHAIRMAN. Would you identify the witness?

Mr. COHN. The name is Rachel DuBois.

Miss DUBOIS. Rachel Davis DuBois.

Mr. COHN. Do you reside in Washington?

Miss DUBOIS. No, sir, New York City.

Mr. COHN. What is your occupation now?

Miss DUBOIS. I am director, Workshop for Cultural Democracy.

Mr. COHN. What is that?

Miss DUBOIS. It is an organization which works with groups of people in order to overcome the tensions in our country between peoples of different nationalities, religions, backgrounds, etc.

Mr. COHN. How long has that organization been in existence?

Miss DUBOIS. I have been working in this field for twenty years.

Mr. COHN. I am wondering about this organization.

Miss DUBOIS. This organization was developed first in 1934. Now, we call it the Workshop for Cultural Democracy.

Senator SYMINGTON. What did you call it before?

Miss DUBOIS. Service Bureau for Education and Human Relations, and that seemed to be too big a term as we worked on it—

Mr. COHN. Are you the top executive in this organization?

Miss DUBOIS. Yes.

Mr. COHN. You are?

Miss DUBOIS. Yes.

Mr. COHN. How are your funds for this organization raised?

Miss DUBOIS. We don't have much money but what we have comes from a few individuals who give a little bit, plus fees that we get as we are asked to do work in churches and community groups.

Mr. COHN. Now, you have told us you have had a connection with the exchange program of the State Department. Would you tell us what that connection was?

Miss DUBOIS. I was sent to Germany by the State Department in 1951. I didn't ask to go, but my book, *Neighbors in Action*,<sup>46</sup> which was sent to the American houses in Germany without my knowing about it, evidently was read by German people and in January 1951 I received two letters from two different German teachers asking if I could find a way to come to Germany because they felt they had the same problem of cultural diversity which we had in the United States and could I come over and train them to use the same methods we were using here. Finally I presented it to the State Department and they sent me over.

Mr. COHN. When was that?

Miss DUBOIS. I went over in August 1951 and came back the last of January 1952.

<sup>46</sup>Rachel Davis DuBois, *Neighbors in Action, A Manual for Local Leaders in Intergroup Relations* (New York: Harper, 1950).

Mr. COHN. Did you receive any compensation from the State Department?

Miss DUBOIS. Yes.

Mr. COHN. How much?

Miss DUBOIS. Well, I guess approximately \$200 a month.

Mr. COHN. Was that in addition to expenses?

Miss DUBOIS. There were some expenses I had to take care of myself and some expenses that the government must have taken up because I know when I lived in a hotel while on duty I didn't have to pay for it.

Mr. COHN. Now, when did your assignment for the State Department conclude?

Miss DUBOIS. When I got back in late January 1952.

Mr. COHN. Late January 1952?

Miss DUBOIS. Yes.

Mr. COHN. I see. Have you ever been a member of the Communist party?

Miss DUBOIS. No.

Mr. COHN. Have you ever been a Communist?

Miss DUBOIS. No. No good Quaker could become a member of the Communist party or any party which uses force and violence.

Senator SYMINGTON. How long have you been a Quaker?

Miss DUBOIS. I was born a Quaker.

Senator SYMINGTON. Whereabouts?

Miss DUBOIS. In Woodstown, New Jersey, on a farm.

Senator SYMINGTON. Your general life has been in an effort to help other people?

Miss DUBOIS. All my life I have been trying to overcome tensions, hatred, suspicions between people because I feel that helps our country as well as people trying to follow out other goals on earth.

Senator JACKSON. Did you work for the American Friends Service Committee?

Miss DUBOIS. Back in 1922 and 1923 I was in Germany looking at the German feeding of the American Friends Service Committee.

Senator JACKSON. After World War I?

Miss DUBOIS. Yes. I did a little publicity for the American Friends Service Committee. I am not now a member of the American Friends Service Committee.

Senator JACKSON. Are you affiliated with Quaker social organizations or welfare groups?

Miss DUBOIS. I am a member of the New York yearly meeting and as a member, I function on the committee.

Senator JACKSON. Do they deal with social and economic problems?

Miss DUBOIS. One committee deals with race relations and another committee other social problems.

Mr. COHN. Have you ever belonged to any organization listed by the attorney general as a subversive organization?

Miss DUBOIS. Not that I know of.

Mr. COHN. Have you ever had any connection with any organization so listed?

Miss DUBOIS. Not that I know of.

Mr. COHN. Specifically, have you had any connection with the American Committee for Protection of the Foreign Born?

Miss DUBOIS. The name sounds familiar, but I don't remember being a member of it.

Mr. COHN. You were not a sponsor of any project of the American Committee for Protection of the Foreign Born in 1941. One of them was the "Americans All Week," which was sponsored by the American Committee for Protection of the Foreign Born?

Miss DUBOIS. No. That "Americans All Week" rings a bell in my mind, but it may be a mistake to identify it because of the name. I did research for a national radio program which went over the air CBS called "Americans All—Immigrants All."

Mr. COHN. This citation comes from the letterhead, which indicates that Rachel Davis DuBois of the Inter-Cultural Education Workshop—Would that be you?

Miss DUBOIS. Well, it might be. I would have to know more about it.

Mr. COHN. You are Rachel Davis DuBois?

Miss DUBOIS. Yes.

Mr. COHN. This letterhead shows that you were a sponsor for a project of the American Committee for Protection of the Foreign Born.

Miss DUBOIS. I wonder if you could tell me—I don't know what did they do?

Mr. COHN. It has been listed by the attorney general as a subversive organization—a Communist front organization.

Miss DUBOIS. I certainly don't remember functioning in it.

Mr. COHN. Does the name "American Committee for Protection of the Foreign Born" ring a bell?

Miss DUBOIS. Well, it is the kind of name you would remember hearing about or reading about, but I certainly don't remember functioning in a committee of that name.

Mr. COHN. How about the National Federation for Constitutional Liberties?

Miss DUBOIS. That doesn't ring a bell as if I ever heard of it.

Mr. COHN. The *Daily Worker*, July 19, 1942, contains an open letter listing you as a signer, sponsored by the National Federation for Constitutional Liberties, denouncing the charges against Harry Bridges and the Communist party in connection with the Bridges case.

Miss DUBOIS. That rings no bell.

Mr. COHN. You are listed under the name of Rachel Davis DuBois.

Miss DUBOIS. They must have used peoples names and put them on there. I have no memory whatsoever of that.

Mr. COHN. Do you manifest any memory of the Bridges case?

Miss DUBOIS. I don't remember manifesting any memory of it.

Mr. COHN. You don't recall the National Federation for Constitutional Liberties at all?

Miss DUBOIS. No.

Mr. COHN. Are you pretty sure that would have been without your authority?

By the way, under the rules of the committee, you can confer with your counsel at any time you care to.

Miss DUBOIS. May I then?

The CHAIRMAN. Miss DuBois, you can consult with your counsel at any time you care to, as freely as you care to.

Mr. COHN. Could we get an answer?

Miss DUBOIS. As far as I remember, and I am sincere in saying this, I don't remember any connection with the Bridges case. I remember the headlines in the paper, but I have been so tied up in the work I am doing in the field of overcoming tension that I haven't joined anything for twenty years outside of Quaker organizations.

Mr. COHN. Were you connected with the Inter-Cultural Education Workshop?

Miss DUBOIS. Well, we called ourselves the Inter-Cultural Education Workshop for a little while because we were trying to find out what was a good name.

Mr. COHN. Was that in 1941 or 1942?

Miss DUBOIS. Yes.

Mr. COHN. They list you as Rachel Davis DuBois, Inter-Cultural Education Workshop. Do you think that could be someone else?

Miss DUBOIS. I don't think that could be any other person.

Mr. COHN. Having agreed on that, could you help us in any way as to how they used your name or your name listed as a sponsor by this organization listed as subversive and the letter in the Daily Worker sponsoring this other organization?

Miss DUBOIS. I have no answer to that.

Senator JACKSON. Can I get one part straight? Is she listed as a member of the American Committee for Protection of the Foreign Born?

Mr. COHN. Sponsor.

Senator JACKSON. She is not listed as a member?

Mr. COHN. No, as a sponsor.

Senator JACKSON. In other words, the American Committee for Protection of the Foreign Born sounds like a good cause—to provide fair protection for foreign born people. But you don't recall ever attending any meetings or participating in any way in such organization?

Miss DUBOIS. No, I certainly don't recall it.

What was their program?

Senator JACKSON. Well, I don't know. I think this is one of the front groups set up in 1940 or 1941.

Mr. COHN. I think it was set up a little before that.

Senator SYMINGTON. Do you have any relatives who are members of the Communist party?

Miss DUBOIS. No.

Senator SYMINGTON. Do you have any close friends who are members of the Communist party?

Miss DUBOIS. I can think of one friend, who dates way back in the early twenties.

Senator SYMINGTON. Is that friend still a member of the party?

Miss DUBOIS. I don't know.

Senator SYMINGTON. As late as 1945 we were friendly with the Soviets.

Miss DUBOIS. I was friendly?

Senator SYMINGTON. We were as a country.

Mr. COHN. I have nothing more.

Senator JACKSON. I take it there is nothing in the record here that she is a member of any group; the problem is sponsoring.

Mr. COHN. In one case sponsoring and the other case signer of a letter.

Senator JACKSON. In either case there is no membership involved?

Mr. COHN. No. One is sponsoring and the other is signer of a letter. The summary of the letter is denouncing the attorney general's charges against Harry Bridges, dated July 19, 1942.

Senator JACKSON. What were you doing at that time? Where were you in 1942? Do you recall? I mean, were you engaged in social work for the Friends? Were you in New York?

Miss DUBOIS. Yes, we were then beginning to experiment with this method of group conversation and I was using it in different community organizations such as churches and parent-teachers associations and any kind of summer institutes.

The CHAIRMAN. I may say for the benefit of the witness, the fact that you were called down here doesn't mean that the committee has any pre-conceived ideas to any of your activities. However, when we find someone in the information program who has been listed as a sponsor of a Communist front organization, the staff, of necessity, wants to check and see what the explanation is. I hope you understand that the mere fact that you were called here doesn't mean we have decided ahead anything about you. In fact, I knew nothing about you except what has been developed in the testimony.

Miss DUBOIS. May I just make a statement?

The CHAIRMAN. Yes.

Miss DUBOIS. From those two organizations it would be very clear that I couldn't possibly have had any kind of connection with the Bridges case. Where that protection of the foreign born came into it, I have always been interested in things like that, but I can't see how I was a part of that group.

The CHAIRMAN. In other words, I gather—see if I understand you—you are interested in protection of the foreign born and if there were an organization carrying that name, you might possibly have signed one of their pledges or something? Some letter or some dinner or what have you?

Miss DUBOIS. I know I never belonged to it.

Senator JACKSON. In other words, you wouldn't sign any statement if you knew that it was Communist dedicated to achieve some objective?

Miss DUBOIS. No, because I thoroughly feel the methods of communism are contrary to all I stand for because I understand to them the end justifies the means. They use force and violence and I couldn't belong to any organization or any movement which uses force and violence for any reason.

The CHAIRMAN. Let me ask you this. I understand your testimony to be that you never knowingly joined any organization which was promoting the Communist cause?

Miss DUBOIS. Certainly.

The CHAIRMAN. And you never had any affiliation with my such organizations?

Miss DUBOIS. Yes.

The CHAIRMAN. Am I correct in this—that you do not believe in communism?

Miss DUBOIS. You are correct.

The CHAIRMAN. And you never joined the Communist party?

Miss DUBOIS. No.

The CHAIRMAN. And you never knowingly worked for any Communist causes? Is that right?

Miss DUBOIS. I never did.

The CHAIRMAN. Have you ever been solicited to join the Communist party?

Miss DUBOIS. This friend of mine said one time, “Why don’t you join?” and I told her why I would not. It was just the two of us.

Mr. COHN. Could we have her name—this friend of yours who was a member of the Communist party?

Miss DUBOIS. Well, I don’t like to give names of anyone, but if you insist.

The CHAIRMAN. I think it is a proper question. You see communism is dedicated to the destruction of our form of government and any member of that organization, I believe, their name should be given, especially in view of the fact that this is executive session.

Miss DUBOIS. Her name, when I knew her, was Elizabeth Potamki.

Senator JACKSON. When was this? How long ago?

Miss DUBOIS. 1935.

Senator JACKSON. Did she reside in New York?

Miss DUBOIS. I think at that time it was in New York.

Senator JACKSON. What was her occupation?

Miss DUBOIS. She was an office worker—an expert in the use of machines.

Senator JACKSON. As far as you know she has done no teaching or anything like that?

Miss DUBOIS. No.

Senator JACKSON. Did you ever attend any Communist meetings with her?

Miss DUBOIS. No.

Senator JACKSON. When did you last see her?

Miss DUBOIS. It was six or seven years ago.

Senator JACKSON. What was she doing then?

Miss DUBOIS. Trying to sell books from door to door. I don’t think she was ever any person high up, as far as I know. We never talked after that time when I said clearly that I couldn’t belong to anything of that sort. What few times we saw each other our talk was of olden days. You see I knew her when she first got out of high school.

The CHAIRMAN. Let me ask you this. If you could accomplish the objectives of the Communist party without using force and violence, would you have any serious objection to it?

Miss DUBOIS. I don’t know that I am sure of the objectives of the Communist party.

The CHAIRMAN. Aside from their use of force and violence, do you have any objection to the objectives which you are acquainted with?

Miss DUBOIS. I didn’t understand your question.

The CHAIRMAN. Aside from advocating use of force and violence, do you have any serious objection to any of the objectives of the Communist party?

Miss DUBOIS. Well, I am against the use of force and violence for any goals.

The CHAIRMAN. Forgetting about that for the time being—that is their means of attaining the end. My question is: Are there any objectives of the Communist party to which you object—

Senator JACKSON. Do you believe in totalitarianism?

Miss DUBOIS. Of course not.

Senator SYMINGTON. Do you believe in people being married and living in a home or do you believe in community interests by ladies and gentlemen? Do you believe in private interests?

Miss DUBOIS. Of course.

Senator JACKSON. Supposing that the Communist party should decide that without force and violence, but by peaceful means, that they want to bring out their system of totalitarianism.

Miss DUBOIS. No.

Senator JACKSON. Would you believe in the destruction of the right of free speech and freedom of religion through non-violent means?

Miss DUBOIS. Heavens, no. I am for all freedom in this country, basic American freedoms.

The CHAIRMAN. You were sent over as a specialist in this exchange program. I forget how long you said you were over in Europe. I assume therefore, that you know something about communism. In your work you must come in contact with the threat of communism. My question now is: What part of the Communist philosophy or teachings do you object to, forgetting about the use of force and violence for the time being? What about communism do you dislike? I am trying to let you make a record.

Miss DUBOIS. I would say I am against the whole movement of communism because it is in line with the most negative forces in the world today and I would certainly be against the whole movement of communism.

The CHAIRMAN. Then you and I would agree that Stalin was a rather bloody dictator?

Miss DUBOIS. Yes. As far as I know, I mean.

Mr. COHN. As far as you know. What do you mean?

Miss DUBOIS. Well, what I read in the papers

Senator SYMINGTON. Your reason for saying that is what you have read in the papers. Based on reading the papers, I am inclined to agree with you.

The CHAIRMAN. I think that is all. Thank you very much.

#### TESTIMONY OF DR. DOROTHY FEREBEE

The CHAIRMAN. Will you stand and raise your right hand, please?

Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. FEREBEE. I do.

Mr. COHN. This is Dr. Ferebee.

Dr. FEREBEE. Dorothy Ferebee.

Mr. COHN. F-e-r-e-b-e-e?

Dr. FEREBEE. That is right.

Mr. COHN. Do you reside in Washington?

Dr. FEREBEE. Yes.

Mr. COHN. What is your occupation?

Dr. FEREBEE. Physician.

Mr. COHN. Have you ever had any connection with the exchange program at the State Department?

Dr. FEREBEE. Yes, I have.

Mr. COHN. What has that connection been?

Dr. FEREBEE. In 1951 I was part of a group that went to Europe, not as an exchangee, but as an aegis of the State Department. We were not exchanges, in the sense that the State Department paid our way.

Mr. COHN. You say you went as an aegis of the State Department. Could you expand on that?

Dr. FEREBEE. Yes. I mean on that the invitation came to twelve different women's organizations from the International Division of the Women's Bureau inviting the leaders of that organization to go to Europe.

Mr. COHN. That was under the Exchange program?

Dr. FEREBEE. I would not be able to say whether it was really a part of it, but I think it would be considered so.

Mr. COHN. Did you make that trip to Europe?

Dr. FEREBEE. Yes, I did.

Mr. COHN. When did you return?

Dr. FEREBEE. I returned on June 1st. I went over in April.

Mr. COHN. How long were you abroad?

Dr. FEREBEE. I was there for six weeks with the department, but I was there much longer.

Mr. COHN. Your mission was six weeks and you remained after that?

Dr. FEREBEE. I went earlier than I commenced my assignment for the department.

Mr. COHN. What was the nature of your duties for the department?

Dr. FEREBEE. Really, the invitation as originally worded from the International Division of the Women's Bureau, Labor Department, was that women's organization leaders were asked to go to Germany to interpret the role of women's organizations in a democracy. That was the original limitation.

The CHAIRMAN. In other words, to lecture—

Dr. FEREBEE. To meet with women's groups and lecture, talk with their townspeople in and around Germany.

Senator JACKSON. Do you know who selected you for that job?

Dr. FEREBEE. Well, I imagine someone in the International Division. The invitation came to my organization and as national president I was designated to go. I am national president of the National Council of Negro Women.

Senator JACKSON. Are you teaching here?

Dr. FEREBEE. I am medical director at Howard University.

Mr. COHN. Do you belong to any physicians' organizations?

Dr. FEREBEE. Yes, I do.

Mr. COHN. Did you belong to the Physicians Forum?

Dr. FEREBEE. No, I didn't.

Mr. COHN. Have you belonged to any organization listed by the attorney general as subversive?

Dr. FEREBEE. No, I haven't.

Mr. COHN. You were listed as late as 1946 as a member of the executive board of the Southern Conference for Human Welfare. Were you a member of that?

Dr. FEREBEE. No, I wasn't. I was asked to become a member.

Senator SYMINGTON. Why didn't you? Did you know something about it?

Dr. FEREBEE. No, I was really so very busy I never had a chance to go to any of the meetings. I never participated in a single meeting.

Mr. COHN. Did you ever do any work for them?

Dr. FEREBEE. No, I never did any work for them.

Mr. COHN. Did you ever consult with anyone?

Dr. FEREBEE. No, I didn't.

Mr. COHN. And your only connection was that they approached you to be on the board?

Dr. FEREBEE. That is right.

Mr. COHN. And you say you were too busy?

Dr. FEREBEE. Yes.

Mr. COHN. You never attended any meeting or participated in any session?

Dr. FEREBEE. No.

The CHAIRMAN. I still don't quite understand the nature of your trip to Germany. Were your expenses paid by the State Department?

Dr. FEREBEE. No, my organization paid my trans-Atlantic flight. The State Department paid for my keep only while I was in Germany.

Senator JACKSON. Per diem?

Dr. FEREBEE. That is right.

Senator JACKSON. What did they do—give you the usual \$9.00 a day per diem?

Dr. FEREBEE. I think it was \$10.00 a day.

Senator JACKSON. Only in Germany?

Dr. FEREBEE. Yes.

Senator JACKSON. And that was the only money you collected from the State Department?

Dr. FEREBEE. That is right.

Senator JACKSON. How many women were there?

Dr. FEREBEE. There were ten others. Eleven all told.

Mr. COHN. Who invited you to become a member of the executive board of the Southern Conference for Human Welfare?

Dr. FEREBEE. I don't know. Some of the officers. I remember I was asked to be a member of it. I don't remember the name of the person offering the invitation.

Mr. COHN. Did you know it was a Communist organization at that time?

Dr. FEREBEE. No. I have discovered that since—not that it actually was—

Senator SYMINGTON. When did you discover that? What year?

Dr. FEREBEE. The year after. Looking back on it, I feel lucky I didn't.

Senator JACKSON. At the time you were approached, you didn't know it was a Communist front?

Dr. FEREBEE. No.

Mr. COHN. Have you ever had any connection with the Washington Committee for Democratic Action?

Dr. FEREBEE. Is that the ADA?

Mr. COHN. No. The Washington Committee for Democratic Action.

Dr. FEREBEE. If that is not the ADA, no. The ADA, I have been to some of their meetings.

Mr. COHN. Let me be more specific. There was a call to conference on civil rights by the Washington Committee for Democratic Action in 1940. You were listed as a sponsor.

Senator SYMINGTON. What year was that listed as a subversive organization?

Mr. COHN. It was listed by the House Committee on Un-American Activities in 1942, June 25th. Again on March 29, 1944 by the Attorney General.

Senator SYMINGTON. The first listing was in 1942?

Mr. COHN. Yes.

Senator JACKSON. When was she a sponsor?

Mr. COHN. 1940.

Dr. FEREBEE. Quite frankly, I don't remember whether I was a sponsor or not, but if it was connected with the ADA, I have been to many of their meetings.

Senator JACKSON. These questions have nothing to do with the ADA. That is a committee in Washington on civil rights. It is a well-known Communist front. The Washington Committee for Democratic Action.

Dr. FEREBEE. If it were Communist, I did not know it and if I participated, I do not know it.

Senator JACKSON. You are interested in all matters on civil rights?

Dr. FEREBEE. Yes, of course, my organization is——

Mr. COHN. Do you know of the publication *Social Work Today*?

Dr. FEREBEE. Yes, I do.

Mr. COHN. Have you ever had any connection with that?

Dr. FEREBEE. Wasn't that a magazine?

Mr. COHN. Yes.

Dr. FEREBEE. Yes, I have seen it. I believe I subscribed to it. I wouldn't want to say I didn't.

Mr. COHN. Have you ever written for it?

Dr. FEREBEE. I don't think so.

Mr. COHN. Your recollection is that you subscribed to it?

Dr. FEREBEE. I think so. I am not sure I did.

Mr. COHN. And you had no other connection?

Dr. FEREBEE. No.

Mr. COHN. Were you aware of the fact when you subscribed to it that it was a Communist magazine?

Dr. FEREBEE. No, I did not.

Mr. COHN. Have you ever discovered it since then?

Dr. FEREBEE. Really, some of the organizations have been turned up since then. My affiliation, if I did subscribe, and I believe I did, I did not know it was so listed.

Senator JACKSON. What was the date on the *Social Work Today*?

Mr. COHN. 1941 and 1942. The witness is mentioned, Senator, in the January 1941 issue and in the February 1942 issue as one of those who "made it possible for *Social Work Today* to strengthen and prepare itself for the supreme task of today." What would that mean?

Dr. FEREBEE. I was going to ask you.

Mr. COHN. It might mean you contributed to it.

Dr. FEREBEE. I want it distinctly understood that when I subscribed to it, I did not know it.

Mr. COHN. Then, if you contributed to it, your answer would be the same?

Dr. FEREBEE. Exactly.

Senator JACKSON. In other words, you haven't knowingly joined any group knowing that it was a Communist organization?

Dr. FEREBEE. I most definitely have not.

Senator SYMINGTON. You have never been a member of the Communist party?

Dr. FEREBEE. No, I have not.

Senator SYMINGTON. And you have never had any Communist leanings?

Dr. FEREBEE. No, I have not.

Senator SYMINGTON. Do you have any relatives who are Communists?

Dr. FEREBEE. No, I have not.

Senator SYMINGTON. Do you have any friends who are Communists?

Dr. FEREBEE. No, none that I know of.

Senator SYMINGTON. Do you think you are a good American?

Dr. FEREBEE. I certainly hope I am. I rather think when we went to Europe I was given a rather thorough going over and if there had been anything, they would have found it.

Senator JACKSON. Were you given an FBI field check or a full-field investigation, or what did they do?

Dr. FEREBEE. I don't know. I do know that my ticket could not be purchased until I was cleared.

Senator SYMINGTON. Do you know Dr. Thomas Williston?

Dr. FEREBEE. Yes, I do.

Senator SYMINGTON. Do you know that he is a Communist party member?

Dr. FEREBEE. No.

Senator SYMINGTON. Do you know any Communist party members in the faculty at Howard University?

Dr. FEREBEE. No, I don't. I don't know of any personally.

The CHAIRMAN. Do you think that Communists should be allowed to teach in a university?

Dr. FEREBEE. Well, I think that any professor who teaches at a university ought to declare himself before he teaches, because very naturally his influence will be a part of what he teaches.

The CHAIRMAN. How about if a professor refuses to say whether he is a Communist or not. Do you think he should be allowed to teach?

Dr. FEREBEE. I think that should be up to the university.

The CHAIRMAN. The only reason we are asking you these questions is that you are representing the United States overseas. I think this is the kind of questions we would like to ask you. I think I missed your answer.

Dr. FEREBEE. Ask the question again.

The CHAIRMAN. Do you think a man who refuses to state whether he is a Communist or not, should be allowed to teach?

Dr. FEREBEE. I think any true professor will want to declare himself as to what he is, if he is honest in his convictions.

Senator SYMINGTON. May I ask you a question. Do you think a person who is a Communist should be allowed to teach American youth?

Dr. FEREBEE. I would say "no" for the reason it is very difficult for a man to separate what he believes from what he is teaching.

Senator JACKSON. He is not free to be intellectually honest?

Dr. FEREBEE. That is it.

Senator JACKSON. In other words, if he belonged to the Communist party he couldn't be a good scientist because the Russian Communists have tried to put their rules in genetics and he couldn't pursue the truth.

Dr. FEREBEE. I think it would be difficult.

Senator SYMINGTON. If, as Senator Dirksen said, if they had respect for their teachers they might also have respect for his ideologies.

Dr. FEREBEE. If they knew about it, yes.

The CHAIRMAN. So the record will be complete, you never attended any Communist meetings yourself?

Dr. FEREBEE. No, I haven't.

The CHAIRMAN. And you have never knowingly promoted the Communist cause?

Dr. FEREBEE. No, I haven't.

The CHAIRMAN. You don't know anyone in the university who to your knowledge is a member of the Communist party?

Dr. FEREBEE. No. I don't.

The CHAIRMAN. That is all. You have been very cooperative.

Senator JACKSON. You made a very fine witness. You seemed to be very sincere and honest.

Senator SYMINGTON. I think so, too.

The CHAIRMAN. Let me impress upon you the fact that you were called here doesn't indicate that the staff or the committee has any pre-conceived ideas about you.

Dr. FEREBEE. I think if there has been an error in the past, it has been an error.

The CHAIRMAN. The staff goes over the list of those used by the State Department for the information program and when they find Communist front connections, they call you in and ask you about them.

I may say that you have explained yourself, to my way of thinking, very well. There will be no publicity given this at all unless you want to give it yourself.

[Whereupon, the hearing was adjourned.]



## STATE DEPARTMENT TEACHER-STUDENT EXCHANGE PROGRAM

[EDITOR'S NOTE.—Clarence Hiskey (1912–1998), born Clarence Szczechowski, was a professor of chemistry at the University of Tennessee, Columbia University and Brooklyn Polytechnic Institute. He also worked for the Tennessee Valley Authority and participated in the Manhattan Project. In 1944, American counterintelligence agents observed Hiskey meeting with a Soviet agent. The government then removed him from the Manhattan Project by drafting him into the army and stationing him in Alaska. In 1948, the House Un-American Activities Committee heard testimony that Hiskey had been an active member of the Communist party and had tried to recruit other scientists to pass atomic data to the Soviets. Testifying before the House Un-American Activities Committee and Senate Internal Security Subcommittee, Hiskey repeatedly refused to answer questions about his Communist connections, and in 1950 the House cited him for contempt of Congress. He resigned from the faculty of Brooklyn Polytechnic Institute and joined the International Biochemical Corporation, later becoming director of analytical research for Endo Laboratories. The subcommittee did not call Hiskey to testify in public.]

FRIDAY, JUNE 19, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*New York, NY.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 11:30 a.m. in room 905, Federal Court Building, Foley Square, New York, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; David Schine, committee investigator.

The CHAIRMAN. Doctor, will you raise your right hand. In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HISKEY. I do.

The CHAIRMAN. Will you identify counsel.

Mr. COLLOMS. Albert L. Colloms, 342 Madison Avenue.

The CHAIRMAN. Give your full name.

### TESTIMONY OF CLARENCE FRANCIS HISKEY (ACCOMPANIED BY HIS COUNSEL, ALBERT L. COLLOMS)

Mr. HISKEY. Clarence Francis Hiskey.

Mr. COHN. What do you do right now?

Mr. HISKEY. I am a chemist.

Mr. COHN. Where are you employed?

Mr. HISKEY. I am employed with a small company, the International Biochemical Corporation.

Mr. COHN. And what type of work do you do?

Mr. HISKEY. I am working on the isolation of a potent principal in a pregnant mammalian liver extract which relieves the clinical symptoms of diabetic neuropthis and osteo-arthritis.

Mr. COHN. Have you ever worked on the atom bomb in any way, directly or indirectly, or have anything to do with it?

[Witness consulted counsel.]

Mr. HISKEY. I must refuse to answer that on the grounds of the Fifth Amendment.

Mr. COHN. Do you know Mr. Harold C. Urey?

Mr. HISKEY. Yes, everybody does.

The CHAIRMAN. Did you ever work for the Atomic Energy Commission?

Mr. HISKEY. When was the Atomic Energy Commission established?

The CHAIRMAN. Do you know that you ever worked for it or not?

Mr. HISKEY. I never worked for them.

The CHAIRMAN. Did you work for any government agency?

Mr. HISKEY. Yes, I worked for the TVA.

The CHAIRMAN. And any other government agency?

[Witness consulted counsel.]

Mr. HISKEY. I was an officer in the U.S. Army.

The CHAIRMAN. Anything else?

[Witness consulted counsel.]

Mr. HISKEY. I worked for Columbia University and they might have had a contract.

The CHAIRMAN. Any other work for any other agency?

Mr. HISKEY. Not that I recall.

The CHAIRMAN. What kind of work did you do at Columbia?

Mr. HISKEY. I was a teacher there of chemistry.

Mr. COHN. Were you working under Dr. Harold Urey at Columbia?

Mr. HISKEY. Yes, he was head of the department.

Mr. COHN. Did he employ you?

Mr. HISKEY. Yes.

Mr. COHN. At the time he employed you, were you a member of the Communist party?

Mr. HISKEY. I refuse to answer under the privilege of the Fifth Amendment.

Mr. COHN. At the time he employed you, were you engaged in espionage in the United States?

Mr. HISKEY. I refuse to answer that question on the same grounds.

Mr. COHN. Did Dr. Urey ever discuss with you the question of whether you were a Communist?

Mr. HISKEY. I refuse to answer that question.

Mr. COHN. Was Dr. Urey to your knowledge a Communist?

Mr. HISKEY. I refuse to answer that question.

The CHAIRMAN. You refuse to answer that question?

Mr. HISKEY. To my knowledge, no. That I don't refuse. To my knowledge I don't know anything about his political views.

The CHAIRMAN. Just a minute. I am not asking about his political views. Is it your testimony that you never knew that Urey was a member of the Communist party?

Mr. HISKEY. I have never known that he was a member of the Communist party.

The CHAIRMAN. Did he ever discuss with you the question of whether or not he was a member?

Mr. HISKEY. No, I don't think so.

The CHAIRMAN. Did he ever attend any Communist meetings with you?

Mr. HISKEY. No, no, I refuse to answer that question.

The CHAIRMAN. You refuse to answer. I may say, Doctor, that you should weigh these answers carefully because you may be doing an injustice to a friend of yours. You are entitled to refuse to answer only if the answer would incriminate you.

Mr. HISKEY. You gave me a question—

The CHAIRMAN. The question is did Urey ever attend a Communist meeting with you.

Mr. HISKEY. I refuse to answer that question because you are asking if I attended a Communist meeting.

The CHAIRMAN. You refuse to answer that question?

Mr. HISKEY. Yes, I do.

The CHAIRMAN. You understand that if Urey did not attend a Communist meeting with you, you could simply say no, and that would not incriminate you. You understand that.

Mr. HISKEY. I don't quite get it. If you ask me if I attended a Communist meeting with Urey or if he attended a Communist meeting with me, you are asking me if I have attended a Communist meeting.

The CHAIRMAN. No. I am asking you if Urey ever attended one with you.

Mr. HISKEY. Why don't you ask the question this way: Do I know whether Urey ever attended a Communist meeting? That would give you the answer that you want.

The CHAIRMAN. Do you refuse to answer whether or not he ever went to a meeting with you?

Mr. HISKEY. Because you are asking whether I went to a meeting.

The CHAIRMAN. I will take your suggestion.

[Witness consulted his counsel.]

The CHAIRMAN. You are entitled to refuse to answer.

Mr. COLLOMS. Mr. Senator, may I suggest when he says he refuses to answer it is always on the ground of the Fifth Amendment?

The CHAIRMAN. Mr. Counsel, we have the rule of the committee that you can freely advise with your client and discuss any matter with him. We do not, however, take statements from counsel.

Mr. COLLOMS. I am not making a statement. I am merely asking that we take this line of answers as being the same all the way through.

The CHAIRMAN. You heard what I said. You will talk to the client. If you want to advise him, all right.

[Witness consulted his counsel.]

Mr. HISKEY. Let it be shown in the record that when I refuse to answer, I am invoking the Fifth Amendment.

The CHAIRMAN. There is no general invocation of the Fifth Amendment. Each time you want to invoke it, you will have to state so on the record.

Mr. HISKEY. Then let us go back and ask all those questions over, and I will invoke it each time. Do you want me to do that?

The CHAIRMAN. Let me ask you the questions. What type of work were you doing at Columbia?

Mr. HISKEY. I was a teacher.

The CHAIRMAN. Did you work for any government agency other than those you have named?

Mr. HISKEY. I worked for Columbia University when I was at Columbia.

The CHAIRMAN. Other than Columbia, TVA, and army, you did not work for the government?

Mr. HISKEY. No.

The CHAIRMAN. Did you ever work in the atomic energy plant?

Mr. HISKEY. Well, that is a question that I refuse to answer on the ground that it might tend to incriminate me.

The CHAIRMAN. Did you ever work in an atomic energy plant while you were on the payroll of the government working for the government?

Mr. HISKEY. I refuse to answer that question.

The CHAIRMAN. You are ordered to answer that question.

Mr. HISKEY. Did I what?

The CHAIRMAN. Read the question.

[Question read by the reporter.]

Mr. HISKEY. You mean when I was working for the army or the TVA?

The CHAIRMAN. I think the question is clear.

Mr. HISKEY. When I was working for the TVA there was no atomic energy program, so that would take care of that. When I was in the army, I was stationed at places that had no relation to the atomic energy program.

Mr. COHN. How about when you were at Columbia?

Mr. HISKEY. I refuse to answer that question on the grounds that it may tend to incriminate me.

The CHAIRMAN. You were asked the simple question whether you ever worked for the atomic energy program. We will exclude any work that you were doing as an espionage agent. You are entitled to refuse to answer if you were working in atomic energy for some foreign government, you understand.

[Witness consults his counsel.]

Mr. HISKEY. I am not quite sure what is involved here so I am going to hold up my answer until I understand. I want you to withdraw the inference that I was engaged in atomic espionage or any kind of espionage.

The CHAIRMAN. Were you engaged in atomic energy espionage?

Mr. HISKEY. I refuse to answer that question.

The CHAIRMAN. You refuse to answer?

Mr. HISKEY. You can't run it in and make the assumption I was, because the Fifth Amendment—

The CHAIRMAN. You do not interrupt me when I am talking. Do you understand that?

Mr. HISKEY. I was talking, Senator, and you interrupted me.

The CHAIRMAN. I am asking you a question. The first question is, were you engaged in atomic energy espionage, and your answer is that you refuse to answer on the ground that it might incriminate you.

Mr. HISKEY. And I went on to explain.

The CHAIRMAN. We will take the explanation later. You tell me how that you feel a truthful answer to that question might tend to incriminate you?

Mr. HISKEY. Yes.

The CHAIRMAN. That is about as definite proof as we can get here that you were an espionage agent, because if you were not, you would simply say no. That would not incriminate you. The only time it would incriminate you would be if you were an espionage agent. So when you refuse to answer on the ground it would incriminate you, that is telling us you were an agent.

Mr. HISKEY. I don't think you understand the whole purpose of the Fifth Amendment, Senator. That amendment was put into the Constitution to protect the innocent man from just this kind of star chamber proceeding you are carrying on.

The CHAIRMAN. You object to being asked these questions?

Mr. HISKEY. Yes, I do.

The CHAIRMAN. For your information, the provision of the Fifth Amendment came down from the old English law.

The purpose of that is to avoid making a man convict himself of a crime, the theory being that no man should convict himself. That is the purpose of the provision of the Fifth Amendment.

Mr. HISKEY. Yes.

The CHAIRMAN. Just a minute. When you say, "If I told the truth it would incriminate me," that means that you know that a truthful answer would incriminate you.

Now, the next question is, are you a member of the Communist party?

Mr. HISKEY. May I make a comment on that?

The CHAIRMAN. No, I do not want any comment on the Fifth Amendment. We do not need any instructions from you on the Fifth Amendment. The question is, are you a member of the Communist party today?

Mr. HISKEY. I refuse to answer that question on the ground it may tend to incriminate me.

The CHAIRMAN. Are you engaged in espionage work today?

Mr. HISKEY. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. COHN. Does the company for which you work have any classified material?

Mr. HISKEY. No, sir.

Mr. COHN. Does it do any government work?

Mr. HISKEY. No, sir.

Mr. COHN. None of any kind?

Mr. HISKEY. No, sir.

Mr. COHN. Has it ever?

Mr. HISKEY. No, sir.

The CHAIRMAN. I have not gotten an answer to my other question yet. Did you ever do any work for this government or for any agen-

cy that was working for the government on the atomic energy program?

[Witness consulted his counsel.]

Mr. HISKEY. I worked for the Manhattan Project, if that is what you want me to say. That was the project in which I worked for Columbia University, and they had contracts with the U.S. government.

Mr. COHN. The Manhattan Project was the atomic energy project for the atom bomb.

Mr. HISKEY. At the time I worked on it, it was more of a collection of professors who went to the government with an idea, and asked to get some money to finance the experiment.

The CHAIRMAN. What years did you work on the Manhattan Project?

[Witness consulted his counsel.]

Mr. HISKEY. Let me see. I came to Columbia in the fall of 1941. That is right. My work with the atomic energy work there began, I guess, about December or January of that academic year. That would be December of 1941 or January of 1942. But I still taught in the school while working and just helping out. Then later I worked full time until 1944 when I was inducted into the army, or not inducted, or when I was ordered up.

The CHAIRMAN. Was that the last work you did on atomic energy?

Mr. HISKEY. Yes.

The CHAIRMAN. 1944?

Mr. HISKEY. Until April 1944.

Mr. COHN. Were you working under Dr. Harold Urey during any of that time?

Mr. HISKEY. Part time.

Mr. COHN. Were you in direct contact with Dr. Urey?

Mr. HISKEY. Yes.

The CHAIRMAN. Did Dr. Urey ever discuss with you any espionage work?

Mr. HISKEY. I refuse to answer that question on the ground that it may tend to incriminate me.

The CHAIRMAN. You are instructed that you are under subpoena, subject to the call of the committee. We will contact your counsel if we need you, and tell you where and when.

Mr. COHN. There is one other question. Can you tell us any names of any Communists working on the Manhattan project?

Mr. HISKEY. I refuse to answer that question.

The CHAIRMAN. On the grounds of self-incrimination.

Mr. HISKEY. On the grounds it may tend to incriminate me.

[Thereupon at 11:53 a.m., the subcommittee proceeded to consideration of other business.]

## STATE DEPARTMENT TEACHER-STUDENT EXCHANGE PROGRAM

[EDITOR'S NOTE.—Harold C. Urey (1893–1981), a professor of chemistry at Johns Hopkins University, Columbia University, the University of Chicago, and the University of California, won the Nobel Prize in chemistry in 1934. From 1940 to 1945 he directed war research for the atomic bomb project at Columbia University. He argued against using atomic weapons against Japan and proposed an international ban on the further production of nuclear weapons. Later, he worked with NASA to plan the first lunar landing and in 1964 received the National Medal of Science. Urey was not called to testify in public session.]

FRIDAY, JUNE 19, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*New York, NY.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 11:55 a.m. in room 905, Federal Court Building, Foley Square, New York, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; David Schine, committee investigator.

The CHAIRMAN. Dr. Urey, would you raise your right hand. In this matter now in hearing, do you solemnly swear that the testimony you give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. UREY. I do.

### TESTIMONY OF HAROLD CLAYTON UREY

Mr. COHN. Could we have your full name for the record?

Mr. UREY. Harold Clayton Urey.

Mr. COHN. Where are you employed now?

Mr. UREY. University of Chicago.

Mr. COHN. What is your position now?

Mr. UREY. Ryerson Distinguished Service Professor of Chemistry.

Mr. COHN. How long a period of time have you been with the University of Chicago.

Mr. UREY. Since 1945.

Mr. COHN. Dr. Urey, were you one of those persons selected as an American specialist under the exchange program of the State Department to go abroad?

Mr. UREY. Selected? I don't know. I was invited. Would you like to have me tell about it?

Mr. COHN. Just briefly. We know what the facts are. It is a matter of record.

Mr. UREY. I was invited by the Heifetz Institute of Technology to come to Israel for a visit. They agreed to pay me \$2,000 for my expenses, and while I was going to Israel I knew of the public law in regard to this.

Mr. COHN. You mean the law which establishes the information program?

Mr. UREY. That is right. So I applied for extra funds which would enable me to make a side trip to Egypt and some other places.

Mr. COHN. From the State Department?

Mr. UREY. That is right.

Mr. COHN. And your application was accepted?

Mr. UREY. The application was accepted.

Mr. COHN. And you made the trip for the State Department?

Mr. UREY. I made the trip.

Mr. COHN. You were what is known as an American specialist under the exchange program?

Mr. UREY. I wouldn't know. Maybe.

Mr. COHN. You do not know the exact terminology?

Mr. UREY. No.

Mr. COHN. You know you did apply and the application was accepted, and they gave you the funds and you made the trip?

Mr. UREY. That is right.

Mr. COHN. Can you tell us approximately how much money was paid to you?

Mr. UREY. \$1,050. I could not remember whether it was exactly that amount or not, but it was right close to that. I have no record of the same.

Mr. COHN. Dr. Urey, what did you do when you visited those countries? Did you deliver any lectures?

Mr. UREY. Yes. I gave lectures in Italy, in Egypt, in Greece, and then quite a number of lectures in connection with the Israel invitation.

Mr. COHN. This was in 1951?

Mr. UREY. That is right.

Mr. COHN. Dr. Urey, I want to read you a list of organizations, and ask you whether or not you have been a member of them, or connected with them in any way.

The CHAIRMAN. Let me first ask, what did you lecture on, Doctor?

Mr. UREY. Most of my lectures were on the origin of the earth, which I have been studying since the war, and temperatures that existed in the ancient seas. This is true of all the lectures in Egypt, Italy and Greece. In Israel I gave similar lectures but I also gave popular lectures on the control of atomic energy, international control of atomic energy.

The CHAIRMAN. Did you talk on any of the general political situation?

Mr. UREY. No, you mean the United States?

The CHAIRMAN. No, when you were in Israel and Europe lecturing, did you discuss the world political situation?

Mr. UREY. Yes. That is, you can't talk about the control of atomic energy without considering the difficulty that we have apropos of it—

The CHAIRMAN. Did you collaborate in the so-called Acheson Report on the control of atomic energy?

Mr. UREY. I did not, no.

The CHAIRMAN. Proceed, Mr. Counsel.

Mr. COHN. I want to read you this list of organizations and ask you whether or not you have ever been connected with any of them.

The American Committee for Democracy and Intellectual Freedom.

Mr. UREY. You know, my memory in regard to these things is awfully bad, and I can't answer that question with certainty. But in connection with the Broyles investigation<sup>47</sup> some years ago, they dug up quite a number of organizations which they said I was a member of, and some of them I could remember and some I could not. What was that one?

Mr. COHN. American Committee for Democracy—do it this way. Suppose you list for us the organizations which have been named as Communist fronts which you recall you were a member of.

Mr. UREY. I cannot do that, Mr. Counsel. Last summer I had to apply for my Q clearance with the Atomic Energy Commission again, and I went over the complete list on that blank. I think it was the 1950 blank, and I could not remember that I had been a member of a single one of them. During the period before the war, I thought that the loyalists in Spain were not as bad as Franco, and I worked with and connected with a number of people that had similar ideas. But I would not remember those organizations, and I have had no contact with them since that time.

Mr. COHN. Do you know a man named Clarence Hiskey?

Mr. UREY. Yes.

Mr. COHN. Did you ever have anything to do with his employment at Columbia University and his work on atomic energy?

Mr. UREY. I was responsible for the employment of Hiskey. I employed him on the basis of his technical competence, and I think no one has questioned that.

Mr. COHN. His technical competence. Has anyone questioned the fact whether or not he was a Soviet espionage agent when he was working for you?

Mr. UREY. I have seen in magazines and the papers indications in regard to this accusation, but I have no direct knowledge of my own that he was anything of the sort. Matters in regard to security were handled by the military in charge of this, and they did not take me into their confidence in regard to Mr. Hiskey.

Mr. COHN. Did you ever discuss with Mr. Hiskey these charges?

Mr. UREY. These occurred during his stay at Chicago after he had left Columbia where I was stationed during the war. I have seen Hiskey once or twice, and there has been nothing in the way of discussion of these, except a polite reference to them.

Mr. COHN. What was the substance of that polite reference?

Mr. UREY. Well, "I see, Clarence, that you have been accused." But he volunteered no information and of course I had none.

<sup>47</sup>In 1949, Illinois state senator Paul Broyles introduced legislation prohibiting anyone "directly or indirectly" associated with a Communist organization of Communist fronts from holding government employment in the state. When students from the University of Chicago protested at the state capital, Senator Broyles launched an investigation of the university faculty to determine whether they had indoctrinated students with Communist ideology.

Mr. COHN. Weren't you interested in pursuing the thing? This was a man you employed who was working on the atomic bomb, and people come along and say he was an espionage agent giving information to the Soviet Union. Was it not of sufficient interest to you to ask whether or not it was true?

Mr. UREY. I never asked him whether it was true or not.

Mr. COHN. Were you interested?

Mr. UREY. I have been very much interested as to whether it was true, but I have no way of investigating the man.

Mr. COHN. You could ask him.

Mr. UREY. I suppose I could, but I didn't see there was any useful purpose to be served.

Mr. COHN. Did you ever discuss this with the FBI?

Mr. UREY. No, I don't think I ever did.

Mr. COHN. Didn't you think this was a matter of considerable concern to you?

Mr. UREY. I have no information of my own relative to his loyalty, none at all.

Mr. COHN. Did you have any discussion with him about communism at any time?

Mr. UREY. So far as I can recall, never.

Mr. COHN. What was your attitude on having Communists work on the Manhattan Project?

Mr. UREY. It was one thing that I believed would be completely wrong, and I definitely tried to avoid having such people on the project.

Mr. COHN. But nevertheless, it develops that a man you did hire and who was working on it was charged with being an espionage agent, giving information to the Soviet Union, and when you met him on subsequent occasions, you never asked him if that is so?

Mr. UREY. What you state I think is a fact. I don't think I ever asked him point blank. If you ask me why, I would say because I felt terribly embarrassed, and wished to stay away from the question entirely.

Mr. COHN. You felt it would be embarrassing?

Mr. UREY. Yes. He was no longer my employee any more.

Mr. COHN. Is it your testimony that as far as you are concerned you do not recall any connection with any organization that has been listed as a Communist front organization?

Mr. UREY. So far as I know, that is the case. We drew up for the Broyles committee an affidavit which stated what I know about the matter—I have forgotten the page of this—which I should like to state is correct to the best of my knowledge and belief.

Mr. COHN. You are going to give us a copy of that affidavit, is that right?

Mr. UREY. I should be very glad to.

Mr. COHN. While you are looking for that, Dr. Urey, I was going to ask you this. You say that the loyalty of people that worked for you was a matter for the security people. We have information and on record certain statements you made critical of the fact that there were security measures being taken.

Mr. UREY. What were they?

Mr. COHN. Pardon me?

Mr. UREY. What were they?

Mr. COHN. I am going to ask you. Did you ever criticize the fact that there were security safeguards in connection with the Manhattan Project in so far as communism is concerned?

Mr. UREY. If I criticized such things, it was a matter of detail, but never a matter of the principle of the thing, because I never questioned it for a moment.

Mr. COHN. Did you ever say that you would fire every security officer in the project?

Mr. UREY. Yes. This is since the war.

Mr. COHN. Since the war?

Mr. UREY. Yes. This is very recently since the war that I said that I thought that they could fire all their security guards. That is correct.

Mr. COHN. Why did you think that?

Mr. UREY. I think that there is an elaborate structure of security guards that does not accomplish much, but at the same time I never for a moment proposed that access to the security should be granted without control of the essential kind. It would take a long time to explain what the difficulties are there.

Mr. COHN. You have been active in the last months, have you not, in behalf of Julius and Ethel Rosenberg, the convicted atom spies?

Mr. UREY. I have been active in a way, yes.

The CHAIRMAN. In what way? What were your activities in their behalf?

Mr. UREY. I wrote a letter to Judge Kaufman and to the president in December. The letter to Judge Kaufman was reproduced in the *Daily Worker*, curiously enough, both with the letterhead and my signature.

Mr. COHN. How did the *Daily Worker* get that, do you know?

Mr. UREY. Not through me.

Mr. COHN. I know it was not through Judge Kaufman.

Mr. UREY. It was not through me.

Mr. COHN. How many copies of the letter did you make?

Mr. UREY. A copy for my files, a carbon copy which I sent to Emanuel Bloch.

Mr. COHN. You sent a carbon copy to Emanuel Bloch?

Mr. UREY. A carbon copy without letterhead and signature.

Mr. COHN. Do you know whether Emanuel Bloch is a member of the Communist party?

Mr. UREY. I don't know.

The CHAIRMAN. Do you have any reason to believe he is?

Mr. UREY. I have no reason to believe one thing or another. I know Mr. Bloch very, very slightly.

The CHAIRMAN. What other action did you take in behalf of the Rosenbergs?

Mr. UREY. After this there was a transcript recording taken which was placed in Los Angeles immediately after the president had denied their first request for clemency. This was done over my protest, for having heard of this, I requested that it should not be played.

Mr. COHN. You made the transcription?

Mr. UREY. Yes.

Mr. COHN. And it was played at a Communist party meeting?

Mr. UREY. I don't know that it was a Communist party meeting. That I do not know.

The CHAIRMAN. The purpose of making the transcription was to have it replayed, was it?

Mr. UREY. That is right.

The CHAIRMAN. Then I do not follow your objection. If you made a transcription for the purpose of having it replayed, why would you object to it being used? Did you change your mind?

Mr. UREY. When the president denied clemency, then I preferred not to appear the next day at this meeting.

Mr. COHN. The president denied clemency. Isn't it a fact that since his denial of clemency, you have continued your activities on behalf of the Rosenbergs?

Mr. UREY. That is right. I was told by Mr. Cohn that you wanted to talk about the Israeli trip, the trip abroad. Is there something else that is involved here besides this?

The CHAIRMAN. Yes. May I explain what it is? We have been calling, Doctor, a sizeable number of people who have been part of the information program, selected either as teachers or students or to represent us as ambassadors of good will. The mere fact that you or anyone else is called does not mean that the committee has any preconceived ideas as to your activities. We are making a thorough examination of the information program. One of the things we are very much interested in is to find out how many people who were either Communists or sympathetic to the Communist cause of fellow travelers have been sent abroad to represent us. For that reason the questioning is not all restricted solely to what you did while you were a representative of us. Counsel is within his rights of going into your activities on behalf of the Rosenbergs, which were found to be atomic spies and sentenced to die. I think it is a perfectly legitimate inquiry.

Mr. UREY. My anti-Communist record is very well known by people, Senator. I have no use for the regime whatsoever. I have been a member of organizations that fought them. I have never been a member of the Communist party. I in no way subscribe to their point of view, and I believe that my position on that is very clear, indeed.

The CHAIRMAN. Just for the sake of the record—I imagine you want to clear it up yourself now that we started questioning you about the Rosenberg case—just what interest did you have in the case?

Mr. UREY. Just a belief, as I expressed to Judge Kaufman and the president, that the evidence against the Rosenbergs was to my mind doubtful because it depended upon the testimony of self-confessed criminals—Greenglasses and Max Elicher. My interest in the case is entirely one of integrity of American justice and nothing else.

The CHAIRMAN. Have you read the entire record?

Mr. UREY. I have read the record, yes.

The CHAIRMAN. Do you have a copy of the record?

Mr. UREY. Yes, I have a copy of the record.

The CHAIRMAN. You purchased that, I assume, from the court reporter?

Mr. UREY. No, it was given to me by the Rosenberg Committee to Secure Justice for the Rosenbergs.

Mr. COHN. Did you ever say in connection with the granting of Atomic Energy Commission scholarships to students that no student should be questioned about communism or barred from the scholarship if he is a Communist?

Mr. UREY. That came up in connection with the Broyles Commission report again, and what was the man's name?

Mr. COHN. I just asked you a question. How about Mr. Hans Freistad?

Mr. UREY. I can't remember exactly what I said, but I know what my attitude was at the time, namely, that Mr. Freistad was a very poor choice as a scholar on scholarly grounds, and second that it is very difficult for the committee granting scholarships to investigate a person with respect to his political beliefs, because they have no means for this purpose, and that it is better in the long run to be as careful as possible, and not worry too much about the matter. I think the number that you would get would be very small in any case. This was my point of view, at least.

Mr. COHN. It is best to be as careful as possible and not worry too much about it?

Mr. UREY. That is right. One should not appoint Communists if you have any way by which you can find it out. But how does a committee find out whether a person is a Communist or not? They have no police power to force a person to answer the question.

Mr. COHN. Weren't you disillusioned on the whole subject by your experience with Dr. Hiskey?

Mr. UREY. I beg your pardon. I don't understand the question.

Mr. COHN. I will withdraw the question.

In addition to Dr. Hiskey, have you ever been instrumental in the employment of anyone in the Manhattan Project who has refused to answer whether or not he was a Communist party member?

Mr. UREY. Not that I know of.

The CHAIRMAN. Do you know of any Communist or espionage agents, Doctor, who either now are or have been working on the atomic bomb or hydrogen bomb projects?

Mr. UREY. Dr. Fuchs, who visited us at Columbia during the war, and whom I met, but who I did not remember at all. I know from the records that he was there.

The CHAIRMAN. Anyone else?

Mr. UREY. I don't think I ever met Allen Nunn May. He was at Chicago.

The CHAIRMAN. Anyone else?

Mr. UREY. I don't think I know.

Mr. COHN. How well did you know Dr. Fuchs?

Mr. UREY. Fuchs was a part of the British team that came to Columbia during the war, and I met him as the project leader there, but as I say, I do not remember him personally at all. He was one person that came through, and I do not remember him.

The CHAIRMAN. Were you ever requested to join the Communist party?

Mr. UREY. No.

The CHAIRMAN. Did you ever attend any Communist meetings?

Mr. UREY. No.

The CHAIRMAN. Anything further, Mr. Counsel?

Mr. COHN. Let me ask you this specifically. When you applied for a passport to go abroad, did you in 1952 first receive a letter from the passport division of the State Department saying that a passport could not be granted to you?

Mr. UREY. That is right.

Mr. COHN. And subsequently that letter was withdrawn?

Mr. UREY. That was withdrawn and I returned it.

The CHAIRMAN. What action did you take to have it withdrawn?

Mr. UREY. I called the scientific attache at the State Department and told him about it.

Mr. COHN. What was his name?

Mr. UREY. I can't recall his name.

Mr. COHN. Is it somebody that you had known?

Mr. UREY. I had never met him that I knew of.

Mr. COHN. Who suggested that you call him, do you recall that?

Mr. UREY. One of the law professors at Chicago, I should judge.

Mr. COHN. Can you recall his name for us?

Mr. UREY. I think it was Dean Levi.

Mr. COHN. Was he the dean of the Law School?

Mr. UREY. Yes.

Mr. COHN. Was he acquainted with the scientific attache in the State Department?

Mr. UREY. I think so.

Mr. COHN. He suggested you call him. You called him and after that the letter was withdrawn?

Mr. UREY. That is right.

Mr. COHN. Mr. Chairman, of course we have a list which was listed in the House committee appendix and various other places of a couple of dozen Communist front organizations which the documentation shows Mr. Urey was a member, sponsor, signer of petitions.

The CHAIRMAN. In view of the time element, and I assume the doctor would like to get away also, would it not be a good idea to submit the list to Dr. Urey and have him go through it, and check the ones that he recalls having been affiliated with, and the extent of the affiliation and have that considered as submitted under oath?

Mr. COHN. I think so. I think further if Dr. Urey can supply us with a copy of the affidavit to which he referred, it might be helpful.

Mr. UREY. I wish I could find it in here.

Mr. COHN. Is this an extra copy of that volume, Dr. Urey?

Mr. UREY. No, this is not an extra copy. Here is what my affidavit said.

The CHAIRMAN. Just one or two other quick questions. You are at the University of Chicago now?

Mr. UREY. Yes.

The CHAIRMAN. Do you know any Communists at the University of Chicago?

Mr. UREY. No.

Mr. COHN. Do you think Communists should be allowed to teach?

Mr. UREY. No.

Mr. COHN. You do not?

Mr. UREY. No.

The CHAIRMAN. I think there are no further questions, Doctor.  
Thank you very much. Sorry we had to take up your time.

[Thereupon at 12:20 p.m., the executive session was ended.]



## TRADE WITH SOVIET-BLOC COUNTRIES

[EDITOR'S NOTE.—After World War II, the United States donated many of its surplus tankers to the government of Greece, which in turn sold the tankers to private shippers. These shipping lines transported extensive trade between Western and Communist-bloc nations. During the Korean War, when the U.S. urged its allies not to trade with the People's Republic of China, Greece officially complied. But the British government encouraged Greek shippers to continue "nonstrategic" trade with China.

With Robert F. Kennedy handling the staff work, the subcommittee produced evidence that former American "Liberty" ships were indeed being used to trade with Communist nations. Armed with this evidence, Senator McCarthy directly contacted the leading Greek shipowners, who agreed to stop trading with the Communists. Such congressional intervention into a matter of foreign policy alarmed the Eisenhower administration, and at a televised hearing on March 30, 1953, Mutual Security Administrator Harold Stassen accused the subcommittee of having "undermined" official policies. Secretary of State John Foster Dulles then met privately with Senator McCarthy and they issued a joint press release describing foreign relations as the "exclusive jurisdiction" of the executive branch but granting that the subcommittee's investigation had been "in the national interest."

The subcommittee continued the investigation and held additional public hearings on May 4, and again on May 20, immediately following this executive session. In its final report on July 1, 1953, the subcommittee accused the Eisenhower administration of being "indecisive and ineffective" in halting allied trade with Communist nations.]

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WEDNESDAY, MAY 20, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:30 a.m. in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Everett McKinley Dirksen, Republican, Illinois; Senator John L. McClellan, Democrat, Arkansas; Senator Stuart Symington, Democrat, Missouri.

Present also: Francis D. Flanagan, general counsel; Robert F. Kennedy, assistant counsel; Ruth Young Watt, chief clerk.

Present also: Thruston B. Morton, assistant secretary of state for congressional relations; Col. E. C. Hardin, Office of Secretary of Defense; John M. Leddy, acting deputy assistant secretary of state for economic affairs; Kenneth A. Hansen, acting deputy administrator for DDAC; Louis W. Goodkind, chief, Economic Defense Staff, State Department; Russell Hale, assistant to acting deputy administrator for DDAC; Martha Redfield, Economic Defense Staff, State Department.

The CHAIRMAN. The reason for this executive session before the open session is that some time ago we discovered that British-owned ships were transporting Communist troops. We discovered

that one of the companies whose ships was transporting Communist troops was also getting MSA funds for hauling MSA cargoes. We contacted the Office of Naval Intelligence. They originally denied that they had any information along that line. They were reluctant to give it, apparently, because it was classified. Just why, I do not know. If we knew it, the Chinese Communists certainly knew it.

Mr. FLANAGAN. Just one correction, there, Senator. We asked them for the photographs of the vessels, and they denied that the photographs were in existence.

The CHAIRMAN. May I say that as of today I think I have unquestioned proof that they do have the photographs, and we are going to demand that they be produced. If they say they are classified, I think we should have them produced in executive session.

That is no fault of the colonel, here. He has been giving us all the cooperation he can. He is not responsible for the classification of this material.

We did get from Admiral Houser yesterday finally the information about these British companies that have been transporting Communist troops. One is Wallen and Company, Limited. The other is Wheelock and Marden. Now, Wheelock and Marden is the company that has received MSA funds.

I think this information is of sufficient importance that it should be made available to the public. I can see where Naval Intelligence might not want to give the port from which the ships came and the port to which they went, for fear they might divulge some of their sources, but certainly this should be made available in some fashion. I want to take up with the colonel this morning the subject of how this can be declassified without endangering any of their sources of information or endangering any of their informants; but to keep this information secret at this time I think is extremely unwise, that is, to keep the general picture secret.

I might say if we got this originally from ONI, I would feel bound by the confidence which they reposed in us when they gave us the information. We did not get it from them, number one. Number two, they were extremely reluctant to confirm it, and it was only after I told Mr. Flanagan to subpoena those in charge and put them under oath that they gave the colonel this information. So we are not in any way bound by any confidential arrangement.

Senator DIRKSEN. Do you propose to ventilate some of that this morning in the open hearing?

The CHAIRMAN. I want to go over the matter with the colonel as to how he thinks it can be done without violating any secrecy.

Colonel, to what extent can we use this, now, without endangering any of your sources of information?

Number one, if we do not mention the names of the ships and the dates, is there any violation of security by letting it be known that British-owned vessels have been transporting Communist troops, keeping in mind that we did not get this information originally from the ONI?

Col. HARDIN. Sir, I think that is the key to it. We got this request for this specific information day before yesterday, and ONI desires to cooperate. I think that paper speaks for their desire to cooperate

with you. I realize I don't need to say that, but I did want to point it out.

However, in the time that has elapsed, they have not really had an opportunity to go through all of the possible sources of this type of material and arrive at whether there is some way that it could be paraphrased.

The source in this case is so sensitive, and I am taking ONI's word for that—and we have to take our intelligence people's word, if we want to utilize them as intelligence sources—it is so sensitive, I wouldn't want to tell you they could work out any such paraphrase. I would like to give them the opportunity to do that, however.

I do know if you have the material from another source prior to ONI, if you can quote that, you can use that material. If you could possibly quote the source, it would be preferable. You might have a problem of protecting your own sources.

The CHAIRMAN. I might say I am disappointed in ONI in that they have refused to give us the pictures up to this date, and unless I have been grossly misinformed they do have pictures. They were extremely reluctant to give us this information until long after they had it. I may say I have reason to believe this information is not complete. I think maybe you feel the same. And it may be because they have not had the opportunity to go through their files completely.

Senator SYMINGTON. What in the name of heaven would be the reason for trying to classify information like that, justifying classifying it on the grounds that it might be a security risk?

Col. HARDIN. Senator, we utilize the product of our intelligence people, and we sometimes get annoyed at them. But their product is reduced in effectiveness if you question evidence that they have attempted to cooperate.

Senator SYMINGTON. I am not questioning the fact that they are attempting to cooperate. There could be one Chinese Communist deserter who could give all that information to ONI. It wouldn't have anything to do with channels of information.

Col. HARDIN. I, of course, don't know their source, but the point I am trying to make is that they have done this in forty-eight hours for the committee. I would like to say: Let's give them another few days for them to go through this whole thing.

Now, in determining whether a paraphrase would compromise the source, they have got to really go back into their files.

Senator SYMINGTON. But how can you compromise the source if you say a ship is carrying Communists? There must be thousands and thousands of people who know that, all the people that were on the ship, all the people that run the ship, all the people who watched the ship come into port. I do not see how you would compromise the source.

Col. HARDIN. Actually, the intelligence people would say that if you had information that Communist troops had been carried on non-Communist-flag ships, and you have it from any source other than ONI, go ahead and use it, but do not say that the Office of Naval Intelligence has confirmed this.

Senator McCLELLAN. Mr. Chairman, did the committee get this information from sources completely different?

The CHAIRMAN. Completely different.

Senator McCLELLAN. Now, they do not want to blockade those ports, it seems. They want to appease. I am against the whole program. I think it ought to be exposed. But at the same time, we are working with the Office of Naval Intelligence and others, the State Department. I disagree with the policy and the practices. And if we have got the information from other sources, I am in favor of using it to the hilt. I think the American people should know it, and I think these countries that are supposed to be our allies and that are engaging in those practices should be exposed. That is my position.

The CHAIRMAN. I can tell the committee, but I wanted it in complete executive session, that you can take my word for it that it was gotten strictly away from ONI, and the indications are that ONI, as I understand, somebody in ONI, first denied it.

I may say, and pardon me for repeating this, that from the same source I have information that they do have pictures taken from the periscopes of submarines, of British ships carrying Communist troops. They have denied that up to this time. We got that from a source outside of ONI also, but my thought is that we should not use that.

Senator McCLELLAN. Assuming that is true, then, I think this committee has a perfect right, in executive session, to inquire into why that thing is being done. If they have that information, if the State Department has that information, and ONI has that information, and nothing has been done, no protest is being made, no effort is being made to get our allies to take action themselves to prevent it, I think it presents a shameful spectacle of lack of cooperation and lack of spirit and will on the part of those we call our allies in this matter.

The CHAIRMAN. I might say to you, Colonel: I think you could transmit to the navy the fact that at least I—and I do not know how the other senators feel—I am very much disappointed that while they knew we were conducting these investigations on the trade with Red China, no one came forward and told Senator McClellan or Senator Dirksen or Senator Symington or myself or any member of the staff about this situation. It was kept secret.

Senator DIRKSEN. First let me get this clear. This matter is to be developed in open session? Is that correct? I wanted to see what the intent was here with respect to this briefing session.

The CHAIRMAN. My thought was that this morning we are going into the other matters about the shipping, and I thought we should ask the colonel whether we should ask the question about these two British ships in open session.

My understanding is that where we have this information from sources other than ONI, they should have no objection to it.

Senator DIRKSEN. Who will testify on this?

The CHAIRMAN. I thought I would question the MSA people about why they continue paying these companies to carry cargoes, MSA cargoes, while they know they have been carrying Chinese Communist troops.

Senator DIRKSEN. Well, just proceeding logically, now, first the allegation has to be made, and then, of course, the allegation is made from sources that do not have to be disclosed. Those are

sources that have been developed by the committee. You can refer to them, I think, as committee sources.

After the allegation is made, then, of course, we want to proceed to establish the truth of the allegation. And that will require testimony.

Now, I think probably you can very safely say, "Is this true? Do you know that it is true? Would you care to testify on that point? And if so, why does this continue?"

Mr. FLANAGAN. On that point I think I could be helpful to you, Senator, and I just throw this out for information. We could ask the State Department, Mr. Goodkind and Mr. Leddy: "Do you know that British-owned companies were moving troops along the China coast?"

Senator SYMINGTON. May I make a statement at this point, Mr. Chairman? I agree heartily with what Senator McClellan has said. We have in the Pentagon Building three intelligence services. It has been my experience that the best of those services is the Office of Naval Intelligence, due to their greater experience and the fact that they have had capable air attaches all over the world during World War I and II as a force in being. They, as a group, are advisory to the Central Intelligence Agency, but they could not report to the Central Intelligence Agency. They report to the chief of naval operations, in the case of ONI, who is a very fine officer, Admiral Fechteler. And he, in the theory of our government, reports to one of the finest men I have ever known, Secretary Anderson.

Now, there could be no reticence on the part of the navy in wanting to tell the fact that Chinese communism was being abetted in a war against the United States by the movement of troops by non-Communist ships, unless they had been advised by some authority out of the Department of the Navy that they were not to disclose that information.

I think this committee should try to find out why it is that when you get information which, in effect, is just as damaging to your efforts to win a war in which you are letting your own youth fight and die—it is just as damaging as if after you got reports from the air force that guns were at a certain place, you were instructed not to shoot there. There is not much difference, in my opinion.

Why is this information that we might like to know about so secret that policy people cannot disclose it? This young colonel comes up here from the air force and says it is because the ONI does not want it disclosed because of source. That does not make much of a story to me, based on my knowledge of the way intelligence works. And I suggest that we find out who in the Department of Defense has issued instructions that this information should not be disclosed to the American people.

Senator McCLELLAN. That goes back, Senator, to what I said a moment ago, that that has been the policy of this government in this war from the beginning. I think it is still the policy. I have not seen any change.

The CHAIRMAN. Let me tell you something for your information. We asked Naval Intelligence to be here this morning?

Mr. FLANAGAN. We asked Colonel Hardin to have them here, and they indicated they did not want to testify at any hearings. And then I said, "All right. Bring over a responsible civilian official of

the Navy Department, the assistant secretary in charge of naval intelligence or some responsible official.”

He then advised me this morning that they felt they didn't have time, and they wouldn't come over.

Senator SYMINGTON. What I was going to say, Mr. Chairman, was that it seemed to be just a further proof of the presentation made before the Armed Services Committee by General Van Fleet that perhaps the most important thing in this war was not the winning.

The CHAIRMAN. Then if we agree, we shall follow the line that you suggested.

Senator MCCLELLAN. I think we should develop it first for our information in strictly executive session, then evaluate it, and then have the committee determine where we shall go from there, how we shall proceed. That is my thought. Without any publicity, Mr. Chairman.

The CHAIRMAN. John, we are having a hearing this morning, a public hearing. We have developed this as far as we can go. For two weeks we have known it. We have been talking about it. We have it confirmed. I do not see any reason on earth why the public should not know about those British ships.

Senator MCCLELLAN. I am not opposing the public knowing, Mr. Chairman. But here is what I rather insist upon, that we develop these things first in executive session and know where we are before we go to talking in public. That is my thought about it.

The CHAIRMAN. Mr. McClellan, we do know that these two British companies have been hauling Chinese troops.

Senator MCCLELLAN. I think it ought to be exposed, if a fact. But I think we ought to get this thing in executive session and know where we are.

The CHAIRMAN. I would like to have the consent of the committee to do this: to go as far as Senator Dirksen suggested, merely asking the State Department whether they knew that these two British companies were hauling troops.

Senator DIRKSEN. And what will their answer be to that question?

The CHAIRMAN. Their answer will be “yes.”

Mr. FLANAGAN. They will say that they knew that one was but not that the other was, and that nothing was done about it.

Senator MCCLELLAN. I think that shows the lack of will and purpose and policy on the part of our own government. They get the information. They conceal it. And at the same time, they take no action to correct it. That is what burns me up.

Senator DIRKSEN. The second line of interrogation, then, Mr. Chairman, would be: If the testimony is that they did know it, then, of course, that needs some amplification. But at that point, what has been done?

The CHAIRMAN. I would like to have you do this, Colonel. I would like to have you call someone from the intelligence department in the Pentagon and tell them we would like to have them come over and sit with the committee this morning. If they think we are doing anything that violates security, we will abide by their wishes. We asked them to be here this morning, and they say they are too busy. I think it is a bit arrogant for the department to say they

are too busy to come down when the committee asks them to be here.

Senator SYMINGTON. May I make an observation on that?

The information you are going to develop this morning is information that has been developed by the staff of this committee?

The CHAIRMAN. That is correct.

Senator SYMINGTON. And you are not going to get into any other information that you did not know, regardless of what ONI or anyone else thought. Is that correct?

The CHAIRMAN. Yes.

Senator SYMINGTON. With that premise, why not go ahead and develop our own information, if the committee approves of a hearing on any basis, and then perhaps later on the people in the Department of Defense will think that it is important for them to cooperate with the committee.

The CHAIRMAN. That is excellent. Let us do that.

[Whereupon, at 10:45 a.m., the hearing was recessed to the call of the chair.]



## TRADE WITH SOVIET-BLOC COUNTRIES

MONDAY, MAY 25, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 4:00 p.m. in the Office of the Secretary of the Senate, Senator Joseph R. McCarthy presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator Charles E. Potter, Republican, Michigan; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Present also: Francis D. Flanagan, general counsel; Robert F. Kennedy, assistant counsel; Ruth Young Watt, chief clerk.

The CHAIRMAN. Mr. Flanagan, who do we have here?

Mr. FLANAGAN. I think Mr. Thomas, the under secretary of the navy, will be the first witness, Mr. Chairman.

The CHAIRMAN. Who else will testify besides Mr. Thomas?

Mr. FLANAGAN. Mr. Hansen and Mr. Goodkind.

The CHAIRMAN. Mr. Thomas, we have been swearing all witnesses, so will you raise your right hand? Mr. Goodkind, too. Do you solemnly swear that in this matter now in hearing, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. THOMAS. I do.

Mr. GOODKIND. I do.

Mr. MORTON. Will you swear me also? I may have something to say.

The CHAIRMAN. We will swear you, too, then.

May I say, Mr. Thomas, before we start, here. We do not want to do anything here that will in any way endanger the sources of information of the Office of Naval Intelligence. We want to respect everything they send to us that is classified, and we want to respect the classification they put on it. However, this committee, I think to a man, every Democrat and every Republican here, feels rather strongly about this shipment of Communist troops in ships owned by British firms.

The veracity of Mr. Kennedy has been questioned by British politicians and by some ship owners over in Hong Kong. They have, in effect, called him a liar. Now, he was very careful the other day in developing the testimony on the shipment of troops in British bottoms, and I think he made it very clear that we had that infor-

mation and that it did not come from the Office of Naval Intelligence. And I think that Mr. Kennedy was very careful, and rightly so, in having it to some extent confirmed by naval intelligence before it was used.

We would like to go into that with you at this time and find the extent to which we can develop these facts without in any way endangering the source of any of your information.

So if you would care to give us an opinion on that, as to how it can be done, I would like to get it.

**TESTIMONY OF CHARLES S. THOMAS, UNDER SECRETARY OF THE NAVY, LOUIS W. GOODKIND, CHIEF, ECONOMIC DEFENSE STAFF, STATE DEPARTMENT, AND THRUSTON B. MORTON, ASSISTANT SECRETARY OF STATE FOR CONGRESSIONAL RELATIONS; ACCOMPANIED BY KENNETH R. HANSEN, ACTING DEPUTY ADMINISTRATOR FOR DDAC, WALTER S. DELANEY, VICE ADMIRAL, RET., ACTING DEPUTY ADMINISTRATOR FOR DDAC (APPOINTEE), AND L. M. DRURY, STATE DEPARTMENT**

Mr. THOMAS. Well, Senator McCarthy, the only thing I would like to say first is that we are very anxious to be cooperative with your committee. There is no reason why we shouldn't be, because we are all working for exactly the same objective.

We do have a problem to this extent, though: that we are trying very hard to develop a good intelligence service in the ONI. I think basically we have a good one. I think you can remember the time when we did not have too good an intelligence service. We think we have a good one now. We have some very good sources that they are developing. This particular one is an exceedingly sensitive source. We are getting other good information out of it.

Now, as to naval intelligence, as far as I can see and I am trying to protect them to the extent that we do not do anything to dry up their sources or to destroy their sources—their reason for being is, of course, to get the information and to pass it on to the right agencies. That is what we have done in this case. And we have passed it on.

As to this particular information, if we declassified it, on these ships, then I don't think you are in a much better position, because they will come right back and say, "What is your source of information?"

Senator MUNDT. What do you mean by "they"?

Mr. THOMAS. Well, the British.

Mr. FLANAGAN. On that point, Mr. Secretary, would it be possible to give the details of these three ship movements, these two ships with three different movements, to the committee in an unclassified way, not attributing it to the Office of Naval Intelligence or not attributing it to the navy?

I think that is the big worry. If we could just trace it back and say it came from a reliable source in the executive branch, or from the State Department, that would be sufficient.

Now, the State Department, according to information I have, has the story on the Pericone, the Panamanian ship, Pericone, which on two occasions was seen with troops aboard.

As I recall, I was informed by the navy that the navy also sent the information on the Miramar, which last June was seen with troops aboard.

Senator JACKSON. What registry is that?

Mr. FLANAGAN. Both Panamanian, owned by the British.

Senator JACKSON. But reporters come to me and ask me "What British ship are you talking about?"

Senator POTTER. They are registered under the Panamanian flag. There are a lot of American-owned ships flying the Panamanian flag.

Senator JACKSON. But they are not American ships.

Senator POTTER. Yes, they are still American owned.

Mr. FLANAGAN. We made no statement that these were British ships. We said "British-owned vessels." They are owned by British firms in Hong Kong, both of them flying the Panamanian flag.

Mr. THOMAS. You see, there is information in here, detailed information, that would very definitely identify our source. And I can tell you that we have got a very sensitive source on this one, it is a good one.

The CHAIRMAN. May I first try to suggest this: I am not interested about the date, whether the ship left during the night or the day, or the port of embarkation or debarkation, and maybe this should not come from you, but I do not think it is unreasonable to have you transmit for example, this information which you have, here, to Mr. Morton, Secretary Morton, who is behind you. You can assure him that it is completely reliable, that these two ships did transport Communist troops, and the third ship. And then we can have Mr. Morton testify that he has checked with the proper government agencies, and he can give us the information that this is completely reliable and that the ships of these two British companies did carry Communist troops. That would in no way endanger your source.

Mr. THOMAS. Well, of course, in so doing, we would have to declassify it and have him give it on a declassified basis. We are really trying to be very helpful on this, as I say, and there is no reason why we should not be, but this is a very sensitive situation, and if we give any of the details out it can be traced back to our source; and, as you know, sources dry up quickly.

Senator JACKSON. When this happened, Secretary Thomas, did you take this matter up with the British government?

Mr. THOMAS. We never do that. I mean, the ONI only passes it on to the agencies.

Senator SYMINGTON. Charlie, here is the problem in this thing. A good job has been done, as I see it, as the committee sees it, in ferreting this information out. Now look at the position that the committee is getting itself in. First they say, on this strategic material, that they have agreed with our allies that they will no longer ship strategic material, but that they will ship non-strategic material. Then they disagree on what is or is not strategic material. Then they come to us, the State Department does, and say that they have reached an agreement with these particular allies that they will classify what the disagreement is. On that basis, as a business man, you know that there is no deal. They can ship any-

thing of any kind that they want. And if there is a disagreement, and that is classified, then nobody knows what is going on.

All right. Now, the situation here is this: These fellows have made a thorough investigation, and they find out about the fact, thanks to ONI, that these British troops are carrying Communists, that these British ships are carrying Communist troops. I do not agree with you about ONI. As far as I am concerned, it was by all odds the best intelligence service in the Pentagon when I was there.

Mr. THOMAS. I did not mean to infer it wasn't at that time, but I mean in the cycle of the history of our time.

Senator SYMINGTON. But when I was secretary of the air force, I felt it was a great deal better.

Now we get down to this question of source. What is happening is that the people are not being given, in my opinion, information on a great many subjects, where you can take refuge behind this classification of information, which has gotten to the point now where I do not think we have what I would really call a free press.

I know a little about intelligence. I knew Sid Salz And Hillenkoeter, and was on the security council for some years, and the CIA used to report to the security council, and we certainly used to listen to a lot of it. Then General Smith came along.

Now, here is what I do not understand. A member of the staff of whom we are all fond has his integrity attacked; and if we simply say the information came from the ONI, knowing what I do about intelligence, for the life of me I do not see how that could hurt your source. If we were to just say that, without getting into any detail, just simply saying that the information came from the Office of Naval Intelligence, I do not see how that could hurt. Because that could be a million people. With thousands of people in the navy and thousands of ways of finding out, with thousands of people on docks, I do not see how it would be damaging if the committee simply defends its assertion. And already there is a story. I do not say that any administration, any department, has leaked that story out, but I give you my word that two people Saturday out at Burning Tree said to me, "Isn't it a shame that your committee pushes out a story of this character and then is proved to be wrong, with respect to Chinese Communists being carried by British ships?"

I say that all we have to do to set the people straight—and they should be set straight on this, if it is true, and this accusation by the ship owners should be cleared up—is to say that we got the information from ONI. Or if you wanted to, we could say that we got it from official intelligence sources in the Department of Defense, and then have somebody in the Department of Defense say that is correct. I just do not see how you can affect your sources. And I have had a little more to do with intelligence than I have said so far.

Mr. THOMAS. Well, Senator, I would think you would find this. This is a matter of degree of opinion, but I don't think we should ever get ONI or any of the intelligence agencies in the position of confirming or not confirming anything, because I think when you get ONI into confirming, you then really destroy your service.

Senator SYMINGTON. There is a point in that. But it did come from ONI to the committee, did it not?

Mr. THOMAS. Yes, as classified information.

Senator SYMINGTON. Could you take it back and have it come from the Department of Defense to the committee or from the Central Intelligence Agency to the committee? Because now the committee is on the spot about it. They know they are right.

Mr. THOMAS. Of course, the navy would have to declassify it, because it was given by them as classified information.

Senator SYMINGTON. If you simply gave us a statement that, "We know that Chinese Communists have been transported by British ships."

Senator JACKSON. Better still, why not have the committee say it? The record is here. And we do not have to disclose the source of the information. All we have to say is that the committee states that such and such vessels transported certain people. And of course everybody could watch a ship leaving.

Mr. THOMAS. Of course, that is given to you on a classified basis.

Senator SYMINGTON. But we do not want to follow a lot of rules unless not doing so would hurt the American government. If, by not following a lot of theoretical rules, we help the government, why is that not a good thing to do?

If we could say it came to us from proper sources in the government, and say it came from the Department of Defense Intelligence Service, how could that hurt the government?

Mr. THOMAS. I think to do that we would have to declassify it. Because I think if you made the statement on that basis, the agreement with the executive branch is that they will give classified information to these committees on the basis that it will be treated—

The CHAIRMAN. Mr. Secretary, let me interrupt. Number one, there is no question about the fact that this information is correct, is there?

Mr. THOMAS. As for as I know, there isn't. I know no more about it than you do, that it has come out of ONI in that form.

The CHAIRMAN. And it is listed as a sensitive source.

Mr. THOMAS. Very sensitive.

The CHAIRMAN. And a reliable source.

Mr. THOMAS. That is right. That has been given to you on a classified basis.

The CHAIRMAN. Well, I may say this to you, then, Mr. Secretary. There being no doubt about the accuracy of this, and the truthfulness of one of our counsel having been brought into question by people all the way from Hong Kong to London—they have been calling him a liar over the last three days; not in so many words, but that has been the import of all the stories. I have been reading editorials already with the same idea that some of your friends out on the golf course expressed, "Isn't it a shame that the committee would be so irresponsible as to claim that British ships were transporting Communist soldiers?" I can see no reason at this time, why, if it is your function to transmit this information to the State Department, it should not be transmitted to them instantly. Then we could call one of the young men from MSA or State Department, put him under oath, and ask if they have verified the accuracy of

what Mr. Kennedy said the other day from official government agencies, and have him answer that, and then I think that would cover it. I can not conceive that that will in any way endanger any source of information you have.

Take for example one of the ships. Lloyd's of London confirmed the date of sailing, the destination. The only thing ONI confirmed is the fact we knew previously, and that is that there were Communist troops aboard.

Pardon me. I have gotten away from my question. The question is: Can you see any reason why you should not transmit this information to MSA or the State Department, why we should not question them on it, without revealing it was ONI?

Mr. THOMAS. You mean declassifying it, in other words. That is what it amounts to.

Senator SYMINGTON. Why? Can you not give it to State classified?

Mr. THOMAS. I don't think they will declassify it without our authority.

The CHAIRMAN. We can order them to answer the question.

Senator SYMINGTON. I would like to explain his point. You see, the secretary says that his first thought is that the source is sensitive and if you give the information you would perhaps jeopardize the source, which would be bad. All I respectfully said to him is that I do not see how giving the information we could jeopardize any source, based on the little I know about intelligence. There it is. It is just a statement, and they stand behind it. Where they got it from is still a mystery to them and everybody else. Now, the question comes up as to whether there is a question of policy with respect to sending information to the committee, and classified information, or not; and then, you might say, whether you will declassify classified information. In my opinion, the question at issue, therefore, is whether or not, as long as an attack has been made on the integrity of a member of the staff, and therefore a member of the committee itself, the question is: Should you or should you not declassify this classified information?

I would think that again we get back to the original point, and that is: Does the declassification of this information jeopardize the source? And I do not think it has anything to do with the rules of the game with respect to classification. If it does not jeopardize the source, then I think that the information should be declassified and released, so that we can simply say, if they do not want us to use any reference to ONI, that the proper officials in the Department of Defense, or wherever they would like it to come from, have given us the information which confirms the statement by the committee.

Senator JACKSON. May I just supplement that? I concur with what Senator Symington and the chairman have had to say, Mr. Thomas. I served on the Atomic Energy Committee for a long time, and as you know we have access to the most highly classified information, and I must confess that in this situation I cannot, for the life of me, see how you are going to affect the source.

The statement has been made that the British were involved in this. If this were a question of a certain piece of something aboard that vessel, and that information was given out, then I can see it would narrow down to individuals aboard the ship. But here is a

vessel sailing in front of everybody, thousands of people. My golly, it is quite obvious that that is almost a matter of general information. And I do not see how your intelligence sources can possibly be affected in this particular situation. And if you want to clear the room and just tell the committee how, I would like to know, I really would.

Senator SYMINGTON. A transferred Communist soldier later taken prisoner could confess it to an American interrogator as to how he got where he was.

Senator POTTER. The source is no more endangered by investigating it than it has been endangered by the first story.

The CHAIRMAN. May I say, Mr. Secretary, just for your information, and I would like to have the attention of the committee on this, just to show you how right Mr. Symington is: As you know, we did not get this information to begin with. I can tell you where we got it. This is in complete confidence here. We got this through the Chinese Nationalists. We knew that you must have the same information. And then, after some searching, ONI finally found this.

So when you say confirming this would reveal your sources, we had all this information before ONI gave it to us.

We know this, for example. See if I am right or wrong on it. We know that you have pictures of British-owned ships carrying Communist troops. That is correct, is it not?

Mr. THOMAS. That is not correct, Senator. We have no pictures. I can tell you that we do not. And I made a thorough search for that to find out if we do or if we have had, and we have no pictures of any ships, and have not had. And that is the best information I could get with inquiries all through the Navy Department.

The CHAIRMAN. Well let me ask you this. Have you checked on whether or not our submarines took pictures through the periscopes, of some of these ships? You may not have discussed that.

Mr. THOMAS. Well, I will tell you this. We have a picture of a ship with huts on the dock. Whether it was taken by a submarine or not, I do not know. We know that was carrying not troops but repatriated citizens to Malaya. There were no troops involved in that at all. That is the only picture we have.

We do not have any pictures of ships carrying troops.

The CHAIRMAN. That was taken of Chinese Communists en route to Malaya?

Mr. THOMAS. I don't know whether they were Communists or not, but they were civilian repatriates, and there were not any troops.

Senator MUNDT. Mr. Secretary, all this committee is trying to get from you, as I understand it, is the authority to release to the press the names of the ships involved.

Mr. FLANAGAN. The names and the owners.

Senator JACKSON. And the registry.

Senator MUNDT. We are not asking when they traveled, the dates, anything that could possibly involve your source of information.

The CHAIRMAN. I do not think we need even ask for the names of the ships. Just the two companies involved. Because, you see, I am sure more than these two are involved. If you release the name

of the ship, then I can see where you would be, in effect, telling them what information we did not have and what information we did. But to release the names of the two companies—

Senator JACKSON. We could say they carried troops since the start of the Korean War.

Senator MUNDT. The name of one of the companies has already been in the paper, because they have denied it. I do not see how that helps you any.

Mr. THOMAS. Let me say this. We are trying very hard to be cooperative. And there is no reason why we should not be.

The CHAIRMAN. First let me say, Admiral—I mean, “Mr. Secretary.”

Mr. THOMAS. I don’t know whether that is a promotion or a demotion.

The CHAIRMAN. I was thinking of the admiral, sitting over here.

Let me ask you: Are you familiar with the facts filed by General Chase in the reports of January ’52 and ’53, in regard to the shipments over in that area?

Mr. THOMAS. No, sir, I am not.

The CHAIRMAN. Are you not even aware of the fact that there is such a report?

Mr. THOMAS. No, sir.

The CHAIRMAN. Admiral, are you aware of that?

Admiral DELANEY. No, sir, I do not know anything about it. This is the first I have heard of it.

The CHAIRMAN. Mr. Hansen, are you?

Mr. HANSEN. I just heard from Mr. Flanagan, and Mr. Goodkind gave a brief of a report; none from Mr. Chase that I have heard.

The CHAIRMAN. And did that concern the movements of British ships among other things?

Mr. HANSEN. Yes, sir, it involved a seizure of one ship by the Nationalist Chinese.

The CHAIRMAN. And a ship that was carrying contraband?

Mr. HANSEN. Evidently. It was carrying some diesel oil.

Senator MUNDT. It seems to me as far as I am concerned what you need as a minimum are the names of these ships. Because we are placed in this position:

We are talking about phantom ships. The name of the company has been in the paper. The company has denied that it has any such ship, and says, “Give us the name you haven’t got.” It does not mean these are the only ships involved, but we have two very definite ships with names on them, and it cannot remotely touch your sources of information to authorize the committee to release the names of those ships. We are not interested in where you got the information. We are as interested as you are in keeping the sources concealed. We do not care how many questions the British ask about, “Where did you get the information?” It is none of their business. But they have a right to know, on that side of the Atlantic, the names of these ships. If they say they do not know, the Communists know the names of these ships. How do we benefit by concealing that from the free world?

Mr. THOMAS. We have given information, classified information, to you, which, if we gave out the number of troops and the like, would jeopardize our source.

Senator MUNDT. We are not interested in that. But the names of the ships; let us stick to that. How can that jeopardize the source of information?

Mr. THOMAS. That is the question that is involved, whether it can or not.

Senator MUNDT. Because, as I understand, the purpose of this is not to conceal facts from the free people, but to conceal facts from the enemy.

Mr. THOMAS. You see, the intelligence people are supposed to create the information and pass it over to the agencies. From then on, we have to be very careful that our sources are not disturbed. Because sources are very sensitive in this game, and they are very important. This source is a particularly sensitive source. That I can tell you. We are getting other good information. The facts as to these ships were pretty secret throughout. They were not open troop movements by any means.

Senator JACKSON. The only point I would like to make, and I'm sure everyone on the committee wants to cooperate, is that I would like for you to explain to me if you can properly how your source would be affected if you merely gave a statement for public release, and I mean one that we could use for release, that British-owned ships, not giving any number, carried Chinese Communist troops since the Korean War.

I would just like, in my mind, so that I can understand this matter, to know how that could possibly affect the source of your information. You know that it is in public print now, the allegation made, that British-owned ships carried Chinese troops. It is out.

Now, if the committee states that vessel X and vessel Y, owned by the British-owned company, Brown and Company, carried Chinese Communist troops since the Korean War—let us not give the year—how could that affect the source of your information?

Mr. THOMAS. Well, here is the thing that worries us. And I think you can make a pretty good case for it. I think you are in an area here now, where you can have two sides to it. But I think when you do that, then you are put under terrific pressure that that information is no good unless you answer: "What is the source of that information? Is it ONI? What is the source of the information?" And then, when you get to that point, you can be in real trouble.

Senator JACKSON. I would not press you so much on this, but the thing that disturbs me even more is that I understand from the testimony here that that information has been transmitted to the State Department but that the State Department has not taken it up with the British government.

Is that correct?

The CHAIRMAN. I believe that is the testimony.

Is that correct, Mr. Hansen?

Mr. HANSEN. Yes, sir, I think State can answer as to that.

The CHAIRMAN. Is that the correct analysis of the facts?

Mr. GOODKIND. Not quite, sir. The information with respect to the first vessel was transmitted to the department.

The CHAIRMAN. That is the Pericone.

Senator JACKSON. How long ago?

Mr. GOODKIND. In 1951.

Senator JACKSON. 1951. The State Department never, according to your records, has taken that up with the British government?

Mr. GOODKIND. That is correct. Mr. Leddy testified that we started to take it up with the Panamanian government, and that the navy refused to permit us to transmit the information.

Senator JACKSON. How about the 1952 shipment?

Mr. GOODKIND. In that case, I have not been able to find any trace of the particular information sought, although we did know that the Miramar was calling at Chinese ports. And at the time of this incident, our information is, it had already been seized by the Chinese Communist government, and the registry was canceled at about the same time by Panama.

Senator JACKSON. You mean that the movement of the troop was not by the British company, but by the Red Chinese Government?

Mr. GOODKIND. That is my understanding.

Senator JACKSON. Did the British company originate or participate in the initial move freely?

Mr. GOODKIND. My understanding is that prior to the incident referred to, the troop carrying incident, that ship had been seized by the Chinese Communist government, and it is so listed in Lloyd's.

The CHAIRMAN. Let me ask you this. Is there any question in your mind at all but what at least one British company did move Chinese Communist troops in a ship that had not been seized by the Chinese Communists?

Mr. GOODKIND. According to this information which we received, the Pericone moved troops in 1951. Whether a British company was the owner or agent of the vessel is not clear, the status of it.

Senator JACKSON. Did not ONI advise the State Department that it was a British-owned company under the Panamanian flag?

Mr. FLANAGAN. Let's get that record straight.

The CHAIRMAN. I do not understand this. Have you not read this?

Mr. GOODKIND. I haven't seen it, sir.

The CHAIRMAN. Well, read it. Just read it and tell us whether it is true that Wallem and Company, Limited, transported Chinese Communist troops in a ship owned by Wallem and Company, a ship that had not been seized, according to your records, by the Chinese Communists.

Mr. GOODKIND. This information in this piece of paper accords with the information which was furnished to the Department of State in 1951.

The CHAIRMAN. Answer my question.

Mr. GOODKIND. Well, I can't—

The CHAIRMAN. Have you confirmed the fact from what you consider the proper intelligence sources that Wallem and Company, in one of their ships, moved Chinese Communist troops?

Mr. GOODKIND. Sir, I cannot testify that Wallem and Company was the owner of the vessel. It is true that the information conveyed to the State Department so reported.

The CHAIRMAN. Do you have any reason to doubt that Wallem and Company owned the vessel?

Mr. GOODKIND. Simply this, that I know the listing in Lloyd's lists those companies whether they are owners, managing owners, or agents.

The CHAIRMAN. Do you have any reason to doubt that the report gotten from the intelligence source which you have in your hand is correct, that Wallem and Company owned the ship?

Mr. GOODKIND. No, I have no information to the negative.

The CHAIRMAN. So that all the information that the State Department has on that is that Wallem and Company, a British firm in Hong Kong, in one of its ships, transported Chinese Communist troops. You have no reason to doubt that report?

Mr. GOODKIND. No, sir.

The CHAIRMAN. Mr. McClellan, I think this committee has no course other than to declassify that information, without indicating it came from ONI. I think we should announce after the end of this hearing that the State Department has confirmed that at least one British firm operating out of Hong Kong has engaged in transporting Communist troops. And I do not think we should place the responsibility for that upon any of the young men here.

Senator MUNDT. You probably would have to put it this way, that the State Department has confirmed that it has received an official report from the appropriate agency of government to that effect. Because he has not confirmed it.

Senator POTTER. He has not confirmed the intelligence report.

Senator MUNDT. The point here is that I do think Secretary Thomas would be much more cooperative, and his testimony would be much more appropriate, if he would tell us some tactic that could be employed, whereby, in any way he wants to treat the source of the information, he would permit the State Department or the Department of Defense to do what I think is a perfectly appropriate thing and release the names of those ships. That entirely conceals the information, which we want to do, but does not put either you or the committee in the ridiculous position of trying to deny the American taxpayers information that the Communists have. That just is not the function of security. They have got that. They know it. And we are in a hell of a position, to be perfectly frank about it, on this committee, and I think you are, if such an attitude is taken.

Mr. THOMAS. I don't say I could be more cooperative, because I am trying very hard to be. But I am in a tough spot here.

Senator MUNDT. I know that.

Mr. THOMAS. And we are trying to protect something we think is very valuable.

Senator MUNDT. We want you to do that, and we will follow any suggestion you have.

Senator JACKSON. Let me see if I can get the record clarified. As I understand from what has transpired in our meeting here this afternoon, it is undisputed that in 1951 a British-owned vessel under Panamanian registry transported Communist troops. I also understand from the testimony here that in 1952 a British-owned vessel that had been previously seized by the Red Chinese government transported troops. Am I correct in my understanding, if anyone can answer that question for the record?

The CHAIRMAN. You are correct in the first half. In the second half, about its being seized, the first we heard about that was when this company over in Hong Kong said it had been seized.

Let me ask Mr. Goodkind: Do you have any other information to the effect that this vessel had been seized by the Communists?

Mr. GOODKIND. Lloyd's register reports it as having been seized by the Chinese Communist government, sir.

The CHAIRMAN. Lloyd's did not report it had been seized prior to the date of this.

Mr. GOODKIND. I don't know the date of seizure, but it is my understanding that there is a report that it was seized in '51, or the end of '51.

Senator JACKSON. May I restate my position?

Senator MUNDT. On that particular point, it means everything, or nothing, all depending on the registry.

Mr. GOODKIND. Yes, sir. My understanding is that there was information to the effect that this vessel had been put under the Chinese Communist flag before the summer of 1952, and that that was one of the grounds on which this department was endeavoring to have the Panamanian government revoke its registry. And the Panamanian government did revoke the registry of this ship at about the same time as this incident was reported. I think it was in July of '52.

The CHAIRMAN. If you will just allow me, I would like to get this straightened out. The Office of Naval Intelligence reports that on 1 June 1952, this vessel was registered under the ownership of Wheelock and Marden of Hong Kong. That is the report from the Office of Naval Intelligence. Now, do you have any report to the contrary, other than what you heard some place? Do you follow me? Here is what the Office of Naval Intelligence says. They have said the Panamanian ship, Miramar, 4,764 gross tons, registered under the ownership of Wheelock and Marden of Hong Kong, was reported, et cetera—and I would rather not put this in the record—carrying Communist troops. Now, do you have any reason to believe that this report from naval intelligence was wrong, that when they say it was registered under the ownership of Wheelock and Marden, it was not registered under their ownership?

Mr. GOODKIND. It is my understanding, sir, that the department has information, which I would have to check, that prior to that date the vessel had been registered under the Chinese Communist flag and had been seized.

The CHAIRMAN. When did you first hear that?

Mr. GOODKIND. Well, when we recently checked on the matter.

The CHAIRMAN. Did you get that from any source other than the newspapers?

Mr. GOODKIND. Oh, yes.

The CHAIRMAN. Who told you?

Mr. GOODKIND. If we had it, it would be based on navy, ONI, source.

The CHAIRMAN. You said you did not hear that until after we started to check into it last week?

Mr. GOODKIND. No, recently.

The CHAIRMAN. Who told you about this report?

Mr. GOODKIND. We checked, at the request of Mr. Flanagan, a number of these Panamanian ships, and we have checked it through Lloyd's Register, and Lloyd's register contains the entry showing this ship to have been seized. Lloyd's register is published

only every six months, so that I cannot put my finger today on the date when this exchange took place.

The CHAIRMAN. What is the date of the report in Lloyd's register?

Mr. GOODKIND. I don't have that with me, sir.

The CHAIRMAN. You were asked to check this.

Mr. GOODKIND. Well, I think it is in the letter addressed to the committee on the Panamanian vessels.

The CHAIRMAN. Mr. Morton, do you know anything about that?

Mr. MORTON. No. As to this Miramar matter, I have not been able to find when ONI informed us of it. I have not been able to find the record.

The CHAIRMAN. I am talking about the Lloyd's report that had been seized. Do you know what date they reported it had been seized?

Mr. GOODKIND. No, but I should think we could get that.

The CHAIRMAN. Can somebody get on the phone and get that, if you have checked into it? Will you get on the phone here, Mr. Goodkind, and get that?

Mr. GOODKIND. Yes. So far as Lloyd's register is concerned, that is in the letter to the committee which I think you have on the Panamanian vessels.

Mr. KENNEDY. I believe from what I remember that it was June 1952 that it was referred to as seized, but I am not sure.

Mr. GOODKIND. If you will bear with me a moment, I think we have the record here.

The CHAIRMAN. The shipment was made on the first of June 1952.

Mr. GOODKIND. The entry of the Lloyd's issue of June 1952 reports the transfer of this vessel to the Trinity Development Company, which I understand is an agency of the Chinese Communist government.

Mr. FLANAGAN. What address does it give for Trinity Development? If you look at the ONI report for May 1952, you will find that Trinity Development Company gives its address as Hong Kong, which is a British Crown colony. Now, our question is: How can it be seized by the Communists in the name of the Trinity Development Company of Hong Kong?

Mr. GOODKIND. Well, let me give you the exact agencies in Lloyd's register. And I don't know the basis for them.

The CHAIRMAN. I may say, Mr. Goodkind, the thing that disturbs me is that you or someone read in the newspaper the defense of Wheelock and Marden—

Mr. GOODKIND. No, sir. We pointed this out to the committee in the hearing last time. Lloyd's register reported this vessel as being unknown in registry beginning with the first of June 1951, and the issue of June 1952 reports it as a subject of the Republic of China. In addition to that, Lloyd's register shows that from June of 1950, the registered owner was the Far Eastern and Panama Transport Corporation, down to the issue of June '52, at which time it reports a transfer to the Trinity Development Company, and then, in the issue of December 1952, it reports: "Seized by Chinese Communists."

Mr. FLANAGAN. That is six months late. December is six months after the date she was found carrying the troops.

The CHAIRMAN. Is the Trinity Development Company a Hong Kong firm? Let me get this straight.

Mr. GOODKIND. This entry indicates nothing on that.

Mr. FLANAGAN. I have here the information furnished us by ONI for May 1952, which shows Trinity Development Company of Hong Kong.

The CHAIRMAN. That would not be a Communist corporation, then.

Mr. FLANAGAN. It might be dominated by Communists, but it is certainly a British firm in Hong Kong.

The CHAIRMAN. Do you know whether that is a subsidiary of Wheelock Marden?

Mr. GOODKIND. No, I do not.

The CHAIRMAN. Pardon me for monopolizing the time, here.

Senator JACKSON. May I get the answer to that other question? You remember I asked it in two parts.

First of all, all of us are trying to keep the record straight here, and we do not want anybody to be put in an inaccurate position. Am I correct in my understanding that in 1951 a British-owned vessel under Panamanian registry carried Red Chinese troops? Can someone answer that?

Mr. HANSEN. There is a report to that effect by ONI.

Mr. THOMAS. Our source is ONI, which you have right there.

Senator POTTER. Is it a good source?

Mr. THOMAS. I would think so. We think their source is good.

Senator JACKSON. That is the first question. The second question: I understand from the testimony here that in 1952 a British-owned vessel under Panamanian registry has been seized by the Red Chinese government, and subsequent to such seizure the vessel carried Red Chinese troops.

Mr. THOMAS. I would have to go by the information.

The CHAIRMAN. May I get the facts on this straight? Is this correct, that according to Lloyd's of London, at the time the Miramar carried the Communist troops, it was registered under the ownership of Trinity Development Company, a Hong Kong firm?

Senator JACKSON. British-owned.

Senator POTTER. Well, we do not know.

The CHAIRMAN. It would be a Hong Kong firm; that subsequently, in December of '52, it appeared that the Chinese Communists seized the Miramar? But as far as Lloyd's is concerned, they show the ship at the time the troops were transferred as under the Trinity Development Company.

Mr. GOODKIND. That is what Lloyd's shows.

The CHAIRMAN. Let me finish. But according to the report of Naval intelligence, the ship belonged to Wheelock and Marden at the time it transported the Communist troops. Is that a correct analysis of the record we have on this, so far?

Mr. MORTON. There is a difference between a registered owner and a beneficial owner in Lloyd's. I am not a technician in this field, but the facts from Lloyd's, as I extract them here, are these: Beginning with June of 1950, the registered owner was the Far Eastern and Panama Transport Corporation, 10 East 49th Street, Bella Vista, Panama. That is your registration. It is listed as the same in each six months, June and December, until we reach June

of 1952. It then becomes transferred to the Trinity Development Company. And I can not tell the date of that transfer.

Now, the beneficial owner is listed as Wheelock Marden and Company, Limited, in Hong Kong.

The CHAIRMAN. That confirms naval intelligence.

Mr. MORTON. That is in June of 1950, Mr. Chairman. It is the same in December of 1950. In June of 1951, Lloyd's lists that as "unknown." On December of 1951, "Unknown." In June of 1952, "Unknown." In December of 1952, "Government of the People's Republic of China."

Senator JACKSON. When is the allegation made as to carrying the troops of this vessel you have been discussing, Mr. Morton?

Mr. MORTON. In '52, in June, I believe.

The CHAIRMAN. June 1, 1952.

Senator JACKSON. Can ONI or anyone else testify whether the vessel was under the control of the Red Chinese government at the time these troops were alleged to have been transported?

Senator POTTER. Not according to Lloyd's.

Senator JACKSON. It says "Unknown" in there, you see.

Senator POTTER. Not at that time.

Senator JACKSON. Yes, that is the record.

Mr. MORTON. Unknown from June 1951 on, until it was definitely established in December of 1952. By that time, Lloyd's had apparently definitely established that the government of the People's Republic of China had it. For eighteen months it is listed as unknown.

Senator MUNDT. You did not mention Trinity Development Company.

Mr. MORTON. They come in as not the registered owner, but the beneficial owner.

The CHAIRMAN. It is there in June of '52, is it not?

Mr. MORTON. Yes, June of '52.

Senator MUNDT. Is that finished in December of '52, or did they take it out?

Mr. MORTON. It says unknown in December of '52, with the notation that "we don't know who the registered owner is."

The CHAIRMAN. Could I get this straight now? When they first indicate the Trinity Development Company is the registered owner of the ship, they show that Wheelock and Marden was the beneficial owner. Is that right?

Mr. MORTON. No, sir.

The CHAIRMAN. Now will you just go back to 1950?

Mr. MORTON. The Far Eastern and Panama Transport Corporation was the registered owner when Wheelock Marden was the beneficial owner.

The CHAIRMAN. When did Trinity Development first appear on the scene?

Mr. MORTON. They first appeared on the scene in June of '52, and the last time that Wheelock Marden was mentioned in connection with this ship in Lloyd's is December of 1950.

The CHAIRMAN. All right. June of '52, Trinity Development. That is a Hong Kong firm, is it?

Mr. MORTON. I don't know, sir. I know nothing about it.

Mr. FLANAGAN. That is a Hong Kong firm, according to ONI.

Senator McCLELLAN. We should take that up in strictly executive session, when we decide what to do.

I would like to ask a question. As I understand this thing, you have the information that the ONI has the information that absolutely would confirm whatever statement the member of the staff here made about it, and which has received publicity, because it was made in open hearings. As I understand, you can confirm what he said about it from your files. Now you take the position that you do not want to confirm it, because to do so you would have to declassify your files, your information. When you did that, then you think the British of course would ask, and probably already have asked, and probably already know of, the source of your information; and the source of your information then would become public, and it would destroy further service or usefulness to you. Is that correct?

Mr. THOMAS. Yes, that is it.

Senator McCLELLAN. Does that state your position?

Mr. THOMAS. Yes, I think so.

Senator McCLELLAN. The thing that I do not quite understand, and I am not too well informed about all this classification and these sources of information, and so forth, but what I cannot understand is, if you say that you have the information, without giving the source, who can compel you, and why is it ever necessary to give the source? As it has been suggested here, it might have come from a dozen sources, and this committee got it from another source, without getting it from you. Now, I do not want this committee to do something that absolutely does a disservice, or makes your job far more difficult. At the same time, I cannot understand why in the devil the American people cannot have the same information the Russians already have. That is just what I do not understand,

Mr. THOMAS. Well, of course, what you are dealing with, when you are dealing with intelligence, is a very sensitive source, and sources are important, as you know.

Senator McCLELLAN. If there is anything further, I would just like to get that.

Mr. THOMAS. Well, when the navy confirms the names of the ships, and so on, it obviously came from ONI. And they think that would be very damaging to their sources. That is a matter of opinion, of course.

Senator McCLELLAN. I cannot understand how it could be.

Mr. THOMAS. Well, as I say, that is a matter of honest difference of opinion.

Senator McCLELLAN. That is what I would like to be assured of. I do not like, if I may use this expression, and not as an accusation, to have the agency hiding behind something that absolutely is not justified.

Mr. THOMAS. Well, there is no reason to hide behind anything.

Senator McCLELLAN. I did not mean it as an accusation. I mean, I want to be satisfied in my own mind, here, that there is some real justification for this protection in this classification. We have it out in public.

Mr. THOMAS. Well, I think we are in the area probably of opinion there. If I can find out exactly what you want, I will see what we can do to get it for you.

Senator MUNDT. I can tell you, as one member of the committee. My request is very simple and very easy. I want you to give us authority to release the names of these ships and their apparent ownership. I do not care whether you release it or we release it, or the State Department does. Confuse the public as much as you want to about the source of information. But I do not want to be gotten in the position of concealing that fact. Because nobody can stand up and defend the concealment of that fact as defense of sources, not when all we want released is what we have referred to. We do not want to be put in the position of being accused of trumping up some phantom ships, which we are not.

Mr. THOMAS. Could I have some time to talk to my people and talk to Mr. Flanagan?

Mr. FLANAGAN. The senators are voting, and it will take ten or fifteen minutes. Do you think you can do that now?

Mr. THOMAS. It would take a little time. I do not think it could be done over the telephone.

[Whereupon, at 4:40 p.m., a recess was taken until 4:50 p.m.]

The CHAIRMAN. Here is a suggestion which Mr. Flanagan has made; that is, that the Navy Department write the State Department and confirm the fact that a ship owned by Wallem and Company transported Communist troops in 1951 on two occasions, and in 1952 a ship registered under the ownership of Wheelock and Marden transported Communist troops. If you could send it over, declassify it, the State Department could then produce it and not give the source of the information but merely say it is from what they consider reliable intelligence agencies. What do you think about that?

Mr. THOMAS. Well, may I take that back and talk to my people? That is what you would like to have?

The CHAIRMAN. I think so.

What do you think, Senator?

Senator MCCLELLAN. I would like to get any information and make it public that will not jeopardize the general security, and so forth, of the ONI. I do not want to weaken their position or make it more difficult for them to secure information. To save the life of me, though, I cannot see how this is going to do it.

But I would suggest that that would be sufficient for my purposes if that could be worked out. From my viewpoint, I cannot see how it would hurt to have the information public. I am sure Russia knows more about it than we will ever be able to make public to our people, and I do not see how it can hurt from that standpoint. But at the same time I want to be most careful not to do anything that interferes with or hampers or hurts these agencies that we have to have to do a certain job.

I do not want to make your work more difficult. With a lack of knowledge and a lack of experience and a consequent incapacity to judge wisely, I am just in a quandary. I hope you can find a way to do it and to make this available.

Now, I think this: When they deny these things, and we have from other sources somehow made it public, as I understand it,

then we are in a position here of wanting to back up what we have done. And for the life of me, I do not see why it is not a wholesome thing to make these things public, to show the lack of cooperation, the lack of support, we are getting from our so-called allies in world conflict. I think we are entitled to know. I think I am entitled to know it when I vote for appropriations for foreign spending. I think I am entitled to know the kind of cooperation I am getting from those countries to which we vote assistance.

Senator JACKSON. Mr. Chairman, can I ask a couple of questions on the record?

I wonder if the committee could be advised as to whether or not this British-owned vessel under Panamanian registry in 1952, while carrying troops, was actually under the control of the Red Chinese government. That element was brought in.

Mr. HANSEN. That is what we are trying to establish on all of these. If I may point out: We have been greatly concerned about the question of the beneficial ownership and the registered ownership. Lloyd's is fairly definitive in that regard, but even they publish this as a confidential register, because they do not wish to be held legally liable in respect to putting forth the wrong information.

Now, we just have not established in the case of any of those three vessels, as far as I know, in the executive branch of the government, that they were knowingly, by British companies, called upon to do that trade, or allowed to do it, or what have you. We just do not know for a fact.

Now, the case as it appears here to terms of registry, deregistration, seizure, and so forth, presents a situation which on its face looks like there was some gain by those British companies in the traffic that was carried on. We just do not know, and we cannot swear to it.

Mr. FLANAGAN. On that point, just how much checking has the executive branch done? Number one, since this case has come up, have we asked anyone to go down through these registry lists and find out if there were any communications from these people in Hong Kong, or have we asked our consul general in Hong Kong to go through the available corporate records in Hong Kong on this matter?

Mr. HANSEN. We haven't done that. I have asked the Department of Defense to do it, because I am very loath to go through different channels than where the original report came.

Mr. FLANAGAN. Another question. On the question of the ship, the Pericone, shown here as owned by Wallem and Company—and there may be some confusion again as to their ownership, and they speak of seizure of that vessel, but in checking Lloyd's, and as you know the information is not too complete, what is in there, particularly on the movement of ships, is pretty accurate.

Now, I find that the Pericone transported troops in the summer of 1951, according to ONI reports. Wallem and Company may come back and say that ship was seized, and they probably will. But I also note from Lloyd's of London that she called at the port of Hong Kong on the second of October 1951.

Mr. GOODKIND. The Pericone was not seized. The Pericone registration was revoked, and the ship has been scrapped.

Mr. FLANAGAN. Yes, but prior to the time she was scrapped, she called as a Panamanian vessel at the port of Hong Kong, a British port, and it is inconceivable to me that a Hong Kong owner, if the ship had been seized by the Communists or there had been some confusion, would have ever allowed it to come back into a British port without seizing it back.

Mr. GOODKIND. So far as I know, there is no question of the Pericone's having been seized. It is the Miramar that was seized. The Pericone was not seized by the Chinese Communists.

Senator JACKSON. What is the source of the information in the case of what I am going to refer to as the 1952 vessel that we rely on, that is evidence that the Red Chinese government had control of that vessel at the time they were transporting troops? Is it Lloyd's register, or is it actual intelligence of what physically occurred? What is it?

Mr. GOODKIND. It is partly Lloyd's register and partly ONI information.

The CHAIRMAN. You say partly ONI information. The ONI says it belonged to Wheelock and Marden.

Mr. GOODKIND. I am thinking of another report, sir.

Senator JACKSON. You were reading from 1952 information.

Mr. MORTON. I was reading from Lloyd's register, which shows "Unknown." It could have been Wheelock Marden.

Senator JACKSON. Was that the Miramar that was transporting in 1952?

Mr. MORTON. The Miramar. Lloyd's gives the beneficial owner as unknown during that period. We have no way of evaluating that.

Senator JACKSON. I think it is very important that we find out whether it is a fact, if it is possible to find out, that this vessel was operated by the British company, or whether it was under the control of the Red Chinese government. I must say the record here is a little confusing on this Miramar vessel, and also, in the meantime, before the statement is out, I wonder if the State Department could advise the committee, first of all, whether these British companies are British-owned. What if the British come in and say they are not owned by British citizens? We have all sorts of things here.

The next thing I would like to know is whether under British law they have control over the registry and direction of a registered Panamanian company vessel. I am anticipating what they may come back with, so that we will know about it.

The CHAIRMAN. Here is what I suggested to Mr. Thomas, that the navy write the State Department an unclassified letter setting forth the fact that a vessel owned by Wallem and Company, Limited, of Hong Kong, on two different occasions transported Communist troops in the year 1951; that in the year 1952 a ship registered under the ownership of Wheelock and Marden transported Communist troops. And then I think we should ask the State Department to confirm that in writing to us, without disclosing the fact as to ONI if ONI does not want their source named.

Senator MUNDT. I do not think that will do any good. I think you should name the ships, because they will come right back with the answer they gave last time, "What ships?"

The CHAIRMAN. I would rather have the name of the ships of course. I was in intelligence during the last war, and one of the

things you do not want the enemy to know is what you do not know. If you say that the Pericone made trips carrying Communist troops, if they know five other ships carried Communist troops, you have then notified them pretty much what you do not know. I can see where naming the ship might not be too good.

Senator MUNDT. The company has been named, though. There is nothing new. It is in the press. The British Consul says, "We cannot discuss this until we know the names of the ships."

Senator JACKSON. Would there not be another out on this? Say security is involved and the State Department announced the matter was being taken up with the British government. There is a security angle. And let the British government come back with an answer.

The CHAIRMAN. First, you cannot leave hanging in the air this charge that we had the counsel of the committee get up and misinform the committee. That is what they are playing up.

Senator JACKSON. Well, to answer the unknown part, you do not have to say those were the only vessels. Why not say "among the vessels involved"?

The CHAIRMAN. Then you are inferring there are more.

Senator MUNDT. I think the main thing is to get the integrity of the committee and the motive of the committee clearly before the country, and without naming the ships I think you put the British in an untenable position. I do not see how they can answer a foolish charge like that.

The CHAIRMAN. I would like to have the name of the ship.

Senator JACKSON. Let us name that one vessel in '51.

The CHAIRMAN. If you can name the ships, good.

I think we will excuse you gentlemen. I want to thank you very much for your time.

Mr. THOMAS. You are very welcome.

[Whereupon, at 5:10 p.m., the hearing was recessed to the call of the chair.]

## AUSTRIAN INCIDENT

[EDITOR'S NOTE.—On May 29, 1953, the subcommittee heard testimony from two former Economic Cooperation officials in Austria, Clyde King and Gabriel Kerekes, that the high exchange rate for Austrian currency in 1949 had worked against that nation's financial stability and in favor of the Russian occupation forces. Objections to their efforts to devalue the currency had come from the International Monetary Fund, whose secretary was V. Frank Coe (1907–1980). In 1948, Elizabeth Bentley had identified Coe as a member of Nathan Silvermaster's Communist cell in Washington. Coe, who had previously directed monetary research at the Department of Treasury, asked to appear before the House Un-American Activities Committee, where he denied under oath the allegations made against him.

In a campaign speech on October 27, 1952, Senator McCarthy had declared Democratic candidate Adlai Stevenson unfit to serve as president because of his past associations. Specifically, he charged that Alger Hiss and Frank Coe had recommended Stevenson as a delegate to an Institute for Pacific Relations conference ten years earlier. "Frank Coe was the man [named] under oath before Congressional committees seven times as a member of the Communist party. Why, why do Hiss and Coe find that Adlai Stevenson is the man they want representing them at this conference? I don't know, perhaps Adlai knows." The Democratic National Committee responded by pointing out that Stevenson had not been a delegate to the conference. That December, when the Senate Internal Security Subcommittee called Coe to testify, he refused to answer any questions about Communist affiliation or espionage. After his testimony, the IMF requested his resignation.

Following his executive session testimony before the subcommittee, Coe testified in public session on June 5 and June 8, 1953. In a written statement submitted to the subcommittee he denied having participated "in any orders or requests or suggestions which may have been given in November 1949 relating to devaluation of the Austrian currency and the negotiations connected therewith." The later opening of the KGB archives confirmed that Coe had provided material to Soviet intelligence agents. In 1958, Coe moved to the People's Republic of China, where he engaged in translating the writings of Mao Tse-tung into English.]

WEDNESDAY, JUNE 3, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:00 a.m. in room 357 of the Senate Office Building, Senator Karl E. Mundt, presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Henry M. Jackson, Democrat, Washington.

Present also: Roy M. Cohn, chief counsel; Donald A. Surine, assistant counsel; Ruth Young Watt, chief clerk; Mason Drury, Senate liaison officer, State Department.

### TESTIMONY OF V. FRANK COE (ACCOMPANIED BY HIS COUNSEL, MILTON H. FRIEDMAN)

Senator MUNDT. Will you stand and be sworn, please?

Do you solemnly avow the testimony you are about to give in this hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COE. I do.

Senator MUNDT. Mr. Friedman, will you identify yourself?

Mr. FRIEDMAN. Milton H. Friedman. 522 Fifth Avenue, New York.

Mr. COHN. Mr. Coe, are you a member of the Communist party today?

Mr. COE. Mr. Cohn, on advice of counsel and under the protection afforded me by the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Where have you been during the last two weeks?

Mr. COE. I don't mind telling you where I have been the last two weeks—

Mr. COHN. Let me put it this way. Let's go back a little bit. The last time we saw each other was December 1st when you testified before the Internal Security Subcommittee of the Senate. Where have you been since December 1st?

Mr. COE. I would say that in general I have been seeking work since December 1st. As you know, I think it is not unfair to say that the request of the McCarran committee caused my practical discharge from employment at that time.

Mr. COHN. As secretary of the International Monetary Fund?

Mr. COE. Yes. Since that time I have been seeking employment in various places in the United States most of the time. I don't mind telling you that I have been out of the country seeking employment.

Mr. COHN. You have been to Canada, have you not?

Mr. COE. I have been to Canada, I have been to Mexico. I have been to Cuba and Nassau.

I would in advance say that, though I have no hesitation in telling you, that I would politely request that you not ask whom I have seen or communicated with in that time of those people out of the country. They are foreigners and to bring their name into these proceedings would possibly hurt them. And I understand the purpose of this inquiry it is in regard to some manipulation of mine into the Austrian currency system. They have nothing whatsoever to do with that. Some of them attempted to help me, at least in the way of advice, on employment and I hesitate to injure them.

Mr. COHN. Were you in contact with any Communists?

Mr. COE. On advice of counsel and under protection afforded me by the Fifth Amendment of the Constitution, I respectfully decline to answer that question.

Mr. COHN. My question is: Were you in contact with any Communists?

Maybe we could save a little time. I want to ask you particularly if you were in contact with any Communists in Canada, Mexico, Nassau, or Cuba. Would your answer be the same to each country?

Mr. COE. Yes, my answer would be the same.

Mr. COHN. Your answer would be the same?

Mr. COE. That is right.

Mr. COHN. Will you name for us the people you were in contact with?

Mr. COE. That is precisely the question I asked you not to ask.

Mr. COHN. I appreciate your admonition, but I am asking you.

Senator MUNDT. May I inquire, Mr. Coe, you have just recently been to Canada, Mexico, Cuba and Nassau. Is that right?

Mr. COE. Yes, sir.

Senator MUNDT. When was your passport issued?

Mr. COE. I went as a tourist. No passport is required.

Mr. COHN. You have to pass through the immigration authorities of those countries, don't you?

Mr. COE. Yes. I went as a tourist.

Mr. COHN. And they let you through?

Mr. COE. Yes.

Mr. COHN. Using your own name?

Mr. COE. Virginius Frank Coe.

Mr. COHN. You had been denied a passport by the State Department as far back as 1950—

Mr. COE. 1951.

Senator MUNDT. That is the reason I asked you. I had read your testimony, and it said you were denied a passport.

Mr. COE. That is correct.

Mr. COHN. You don't know whether the immigration authorities placed a stop on you, but you assume not by virtue of the fact you got out?

Mr. COE. By virtue of the fact they were not meticulous in my behalf or no stop made.

Mr. COHN. Were you questioned at all?

Mr. COE. I would say the usual things those people do. In each of the countries the procedure is different.

Mr. COHN. You were not stopped and questioned outside of ordinary questions?

Mr. COE. No.

Mr. COHN. Of course, according to your own testimony which you gave in a conference as far back as 1951, the State Department denied you a passport to leave the country for security reasons. For that reason you were denied a passport. I think this is unusual. I would suggest possibly that we could inquire into immigration and find out whether a stop was placed.

Senator MUNDT. It seems rather obvious that a stop wasn't placed.

May we have for the record what post you left the country when you went to Canada.

Mr. COHN. Maybe we should see why he wasn't stopped.

Mr. COE. May I consult counsel?

Mr. Chairman, if it is not impertinent, and I say it respectfully, I thought I was being sought in regard to the Austrian currency inquiry. This is turning more into a detailed check on my movements as to the recent period. As I said earlier, I didn't mind saying where I was, but if this is to be the nature of the inquiry, I think I should assert a privilege.

Senator MUNDT. This is a preliminary inquiry to learn something about where you have been recently. During the course of the interrogation we will make clear the purpose of calling you.

Actually it is a matter of public record, but we would have to go into a hullabaloo of investigation as to where you left the country and where you returned. Since you did it officially, it seems it would be the most helpful thing, most logical thing, for you to fol-

low the course of any other citizen and say where you went across—if it was St. Francis—of course, if you want to stand on the Fifth Amendment, that is your privilege.

Mr. COE. Well, Senator, I would say I have told you where I have been. I considered that I was there perfectly legally; that I went perfectly legally just as any other citizen might. Mr. Cohn's question suggested that he doubts the legality of that. There was some implication that the law was broken.

Senator MUNDT. You have to put his question in the proper framework. You said you did not want to tell whether you talked to any Communist so you have a right to decline to answer the question.

Now, I would like to know whether you went across the border officially by the immigration sources or you made the proper contacts?

Mr. COE. Well, I will say simply and generally—I think I am repeating what I said earlier, or I call your attention to the fact I said earlier that I followed the rules and laws that I know, but further particulars, in view of the nature of the questions, I think I will decline to answer.

Senator MUNDT. At what point did you cross the border to go to Canada? I will ask you specifically.

Mr. COE. On advice of counsel and under the protection afforded me by the Fifth Amendment, I respectfully decline to answer that question.

Senator JACKSON. Mr. Chairman, the witness has already testified he has been in Cuba, Mexico, Canada and Nassau. Now, I think it is quite clear that it is proper for this committee to ask the port of entry he went through to reach those countries, inasmuch as the witness has already admitted he has been to those countries. There is no basis under which he can ask for protection under the Fifth Amendment. I think he should be ordered and directed to answer the question. There is nothing there to incriminate him.

Senator MUNDT. The only source of incrimination is that he failed to make the proper contacts as he crossed the border. If he has done so I think he should answer the question.

Mr. COE. I think I was very much legal.

Mr. FRIEDMAN. May I be heard?

Senator MUNDT. You may talk to Mr. Coe.

Mr. FRIEDMAN. I thought I might discuss a point of law.

Senator MUNDT. You may with Mr. Coe.

Senator JACKSON. You have to run the risk of what you advise him as to whether you are right and we are wrong.

Mr. FRIEDMAN. Senator, as you know, the lawyer never runs the risk. The client takes the risk.

Senator JACKSON. That should be encouraging to your client.

The CHAIRMAN. Are you ready to respond to Senator Jackson's question?

Mr. COE. I would like to ask first whether you are specifically directing me to answer that question.

Senator MUNDT. I am directing you to answer that question.

Mr. COE. Then, on advice of counsel I say I entered Canada through the port of Niagra Falls, I believe it is called.

Senator MUNDT. And returned to this country through the same port?

Mr. COE. No, sir. I returned—again may I consult counsel?

Mr. Chairman, to cut it short, and I am assuming you are directing the answer to this.

Senator MUNDT. That is right.

Mr. COE. From Canada I proceeded to Nassau, from Nassau to Cuba, from Cuba to Mexico and reentered the United States to deal with the charges that I read in the newspapers.

Senator JACKSON. Where did you reenter?

Mr. COE. Laredo. The main rail route there which is Laredo.

Senator JACKSON. L-a-r-e-d-o?

Mr. COE. Yes.

Senator JACKSON. Texas?

Mr. COE. That is right.

Senator MUNDT. In other words, this was all part of one trip?

Mr. COE. Yes. For that period I was in the Caribbean.

Senator MUNDT. And you were in Mexico when you read it in the newspapers and came back?

Mr. COE. Correct.

Mr. COHN. What day did you return to Washington?

Mr. COE. I returned today.

Mr. COHN. In other words, prior to today, when was the last time you were in Washington?

Mr. COE. About two months ago.

Mr. COHN. You have not been in Washington during the last two months?

Mr. COE. That is right.

Senator JACKSON. You have been out of the United States for two months?

Mr. COE. That is right. Approximately two months.

Mr. COHN. So you went from Canada to Nassau, from Nassau to Cuba, and from Cuba to Mexico.

[At this point, Senator Mundt left the room.]

Now, let me ask you this, Mr. Coe. On exactly what date were you discharged by the International Monetary Fund?

Mr. COE. I would have to refer—

Mr. COHN. About how long after your appearance before the McCarran committee?

Mr. COE. Technically, I resigned from the International Monetary Fund. I would say it was December 3rd or 4th—somewhere around that time—within a day or two.

Mr. COHN. Your resignation was requested, was it not?

Mr. COE. I was given the option of resigning or facing charges of dismissal.

Mr. COHN. By who?

Mr. COE. The managing director, Ivar Rooth.

Mr. COHN. When did you go with the International Monetary Fund originally?

Mr. COE. In the mid part of 1946.

Mr. COHN. And at that time were you a member of the Communist party?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Were you engaged in espionage?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Were you a member of the Soviet espionage ring consisting of U.S. government employees at that time?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I decline to answer that question.

Mr. COHN. Were you with the International Monetary Fund in 1949, specifically November 1949, and at that time were you a member of the Communist party?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Were you engaged in espionage at that time?

Mr. COE. On advice of counsel and under the protection afforded me by the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Now, what position did you hold in the International Monetary Fund in the fall of 1949?

Mr. COE. I was secretary throughout.

Mr. COHN. You were secretary of the fund throughout the period of your employment?

Mr. COE. Yes.

Mr. COHN. What was your gross salary?

Mr. COE. About \$20,000, I believe.

Mr. COHN. Now, getting back to the fall of 1949, how many people worked for you? How many people were in the office?

Mr. COE. I couldn't say.

Mr. COHN. Give us an approximation?

Mr. COE. Well, the number of people varied. I would say at the time I left the office it was comprised of forty-five to sixty persons, and whether it was smaller or larger in 1949, I don't really know.

[Senator Mundt returned to the room.]

Mr. COHN. Mr. Chairman, since you left the room, Mr. Coe testified that he was in the International Monetary Fund from 1946 until December of last year when he was given the option of resigning or facing charges. We got to the period of 1949 and he refused to answer whether he was a member of the Communist party at that time or engaged in espionage. Then we got into the question of how many people worked for him as secretary in his office.

I want to ask you this and we are still talking about the period in the fall of 1949.

Were any of the people working for you Communists?

Mr. COE. On advice of counsel and under protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Now, Mr. Coe, you were out of the country in 1949. Would you tell us—

Mr. COE. Would you mind me saying one thing at that point? I would like to state that, of course, my pursuing that course, I mean to cast no reflection of any kind on any of those persons who were employed there.

Mr. COHN. Your answer was subjective.

Senator MUNDT. You could protect your associates much better if you were in a position to say "no."

Senator JACKSON. Are you now engaged in espionage and sabotage against the United States?

Mr. COE. No.

Senator JACKSON. You are not now engaged?

Mr. COE. That is correct.

Senator JACKSON. How about six months ago?

Mr. COE. That would be what date, Senator?

Senator JACKSON. Let's say, were you engaged in sabotage or espionage against the United States in November 1952?

Mr. COE. Mr. Chairman, if I may break the question up, after consultation with counsel, I would, on the question of espionage which the senator asked, on advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question. On the question of sabotage, with little opportunity to reflect as to the meaning of the term but with knowledge of the ordinary meaning, I would say that I never engaged in it at any time.

Senator JACKSON. At any time?

Mr. COE. At any time.

Senator MUNDT. You are talking about physical sabotage—destruction.

Senator JACKSON. I want to make it clear when I say sabotage I mean as defined by federal statutes.

Mr. COE. I think I had better consult counsel.

In view of the ambiguity of the meaning of the term, at least to me, I will on the advice of counsel and under the protection of the Fifth Amendment decline to answer that question.

Senator JACKSON. Have you ever been engaged in physical sabotage?

Mr. COE. No.

Senator JACKSON. Now, you have testified a moment ago that you are not now engaged in sabotage or espionage against the United States?

Mr. COE. That is correct.

Senator JACKSON. When did you go off the sabotage and espionage payroll? When did you quit that job?

Mr. COE. Senator, I never said that I was on that job.

Senator JACKSON. You have testified that you are not now engaged in espionage, but you say in November of 1952 you refused to answer that question on the basis of the Fifth Amendment. Is that right?

Mr. COE. That is approximately correct.

Senator JACKSON. Were you engaged in espionage December 4, 1952?

Mr. COE. On advice of counsel and under protection of the Fifth Amendment, I respectfully decline to answer that question.

Senator JACKSON. December 31, 1952?

Mr. COE. I had better consult counsel.

As to the date you mentioned, I answer categorically "no."

Mr. COHN. In other words it is quite apparent that you were engaged in espionage while you were with the United Nations organization, that is secretary of the International Monetary Fund, but when you resigned you were no longer in espionage?

Mr. COE. I don't think that conclusion can be drawn from my testimony.

Mr. COHN. Let's make the record clear. You left the International Monetary Fund—

Mr. COE. The 3rd, 4th or 5th.

Mr. COHN. December 1st, 2nd, were you engaged in espionage?

Mr. COE. Mr. Chairman, I think I will consult counsel on that.

Mr. Chairman, I have meant to, in these answers, to indicate that that categorical answer instead of the assertion of a privilege would date from my previous testimony before the Senate committee, Subcommittee on Internal Security, and not from the date of my leaving the fund. In other words, before that committee, on a date which I believe was early in December—

Mr. COHN. December 1st.

Mr. COE. December 1st or 2nd, I asserted the privilege on questions similar to those you are asking and I am endeavoring not to change that position.

Senator JACKSON. All right, we will state for the purpose of questioning at the time you asserted that privilege was December 1st. Were you engaged in espionage on December 2nd, which was after you testified, and according to your testimony, you were still secretary of the International Monetary Fund?

Mr. COE. Assuming those dates to have been the obvious ones we have in mind, I would give a "no" answer to that.

Senator JACKSON. At that time you were still secretary of the International Monetary Fund to the best of your knowledge?

Mr. COE. That is right.

Senator JACKSON. Have you been engaged in espionage since December 2nd? I will ask that rather than going through each month, day and year since then?

Mr. COE. No.

Mr. COHN. Getting back to the fall of 1949, you have declined to answer whether any of the people working for you were Communists.

My next question is: Were you out of the country sometime in the fall of 1949?

Mr. COE. That is correct.

Mr. COHN. When?

Mr. COE. I haven't had a chance to check the date.

Mr. COHN. Give us an approximation?

Mr. COE. I was out of the country part of December, I think part of November and whether I was out in October, I don't know. I will accept the fund's record on that. I believe I will have to check with them.

Mr. COHN. When did you first hear about the Austrian currency situation? When was the very first time you heard anything about it?

Mr. COE. What?

Mr. COHN. The situation that concerned the devaluation of the shilling.

Mr. COE. Would you mind telling the date?

Mr. COHN. Oh, that went over by lateral agreement signed the middle of December 1949. Negotiations were underway a number of months prior to that time. The actual devaluation was the middle of December, but the discussion had been underway for a num-

ber of months prior to that time. I am trying to find out when the matter came to your attention?

Mr. COE. I would like to say two things. The first is that I don't have any recollection of the matter. The second pertains to a more general point on this questioning.

I would very much appreciate between this appearance and the next appearance being given by the committee a chance to read the transcript of the evidence which contains the accusations and statements on this Austrian currency situation. That may well refresh my memory on some points.

Senator MUNDT. You will be given a chance to see that record. We will give it to you.

Mr. COHN. For purposes of further characterizing here, I will summarize the situation.

The only mention of you was the fact that a cable was sent to Austria from Washington indicating that the Czechoslovakian delegation to the International Monetary Fund was objecting to the devaluation of the shilling; that this objection was transmitted by the Office of the Secretary of the International Monetary Fund through the State Department to Austria; and I think the wording of the cable from the secretary of the Monetary Fund advised the department that the Czechoslovakian delegation had entered an objection to devaluation and in view of that, the fund or secretary's office felt that there should be a suspension of negotiations for further consideration. Something along those lines.

Mr. COE. May I paraphrase. Some date there, presumably the middle of November—

Mr. COHN. Prior to that.

Mr. COE. Sometime thereto, the allegation is that the Office of the Secretary notified the State Department of the United States government that the Czechoslovakian delegate to the fund was objecting to some feature of this devaluation and that that office further said that in view of this objection the proposed action should be held up.

Mr. COHN. I think that is substantially it.

Senator MUNDT. There is some doubt as to whether the secretary is supposed to have notified the State Department or some committee which handles the matter.

Mr. COE. Was the question on that?

Mr. COHN. Whether you have any recollection of the protest that the Czechoslovakian government made or the action your office took?

Mr. COE. I do not, as of the moment. If I could read more about it I might recall.

Senator JACKSON. In addition, I think the committee would like to know who you talked with represented countries, individuals you were in touch within the State Department in connection with this adjustment.

Mr. COE. At the time, in connection with this matter, I have to say that as of the moment and since reading the sparse account of this matter in the newspapers I have no recollection of it at all.

Senator JACKSON. Who would you normally be in touch with in the State Department on such matters?

Mr. COE. Well, that some way puzzles me too, because although I may here neglect to think of some method of action or function, I don't think I would be——

Senator JACKSON. What would be the normal move through channels in order to get in touch with our people in Austria. As secretary of the International Monetary Fund, you would not necessarily send a cable direct to the high commissioner in Austria, but you would take this matter up through the Department of State. Is that a fair statement?

You were secretary to this fund for many years. Let me put a hypothetical question to you. Suppose a matter came up relating to the work of the Monetary Fund that involved the actions of our government, who would you contact?

Mr. COE. Senator, the reason I hesitate is that, as I said, the incident from present knowledge that I have of it is puzzling to me. The procedure that is suggested there doesn't, as of now——

Senator MUNDT. What would be the normal procedure?

Mr. COE. Well, it would vary with the incident. In matters such as this I would not normally have contacted the United States government, except through its executive director or unless——

Senator JACKSON. Executive director of what?

Mr. COE. Of the fund—unless he said so.

Senator MUNDT. Who was that?

Mr. COE. He was, I think, Frank Southard. It may have been Andrew N. Overby.

Mr. COHN. It was Mr. Southard.

Senator JACKSON. He was one of the Monetary Fund executive directors?

Mr. COE. That is right. He was the United States—what we call United States executive director. There were fourteen. He casts votes of the United States. If one director, for instance the Czechoslovakian director, sent a note to the secretary of the fund saying he objected to something he would normally say what he wished done with that piece of paper and inform the secretary to inform the other directors so that——

Senator JACKSON. Then the American executive director would take it up with the State Department?

Mr. COE. Yes.

Senator JACKSON. You wouldn't take it up normally?

Mr. COE. Not normally. There are certain kinds of business which I, as secretary, would take up directly with certain branches of the United States government.

Senator JACKSON. There are other kinds of business that you would take up at his request?

Mr. COE. This kind of business, as I understand, I am not sure what is being talked about—what kind of objection. From present knowledge of it I would say somebody else would have taken it up with the State Department.

Senator MUNDT. When dealing with a monetary situation in occupied countries, would you take it up with the State Department or the Department of Defense?

Mr. COE. Well, no, it wouldn't. I think no member of the staff of the fund would normally have taken up a monetary matter with

the Department of Defense unless the United States executive director has indicated that was appropriate channels.

Senator MUNDT. At that time wasn't there a committee established in the federal government, someone from the State Department, Defense and Treasury, that consulted about monetary conditions in those countries?

Mr. COE. Yes, from my understanding of the situation from the United States government at that time there was a committee consisting of secretary of treasury, chairman, secretary of state, head of the Export and Import Bank and various other men who constituted the National Advisory Council of Monetary Affairs. A statutory body.

Senator MUNDT. Wouldn't that be the logical group for you to relay any information? Wouldn't it be brought to that National Advisory Council?

Mr. COE. Yes, but it would not normally have been my duty on matters of this sort to bring it to their attention. My duty would be to bring it to the attention of the U.S. executive director and it would be his option then to do so.

Mr. COHN. Do you recall any instances where you might have brought information directly to the council, rather than to Mr. Southard?

Mr. COE. The only, as a matter of routine, my recollection is that such occasion occurred very infrequently when I brought the matter to the attention of the chairman of the council. I don't know whether I ever addressed a letter to the secretary of the treasury as chairman of that council. In other words, I don't know that the secretary of the fund was ever normally in contact with that council. He was in contact with his executive directors.

Senator MUNDT. You are sure that as secretary of the fund you never communicated directly with our representative in a monetary discussion on foreign capital. You either went to their National Advisory Council or went through Mr. Southard. Is that right?

Mr. COE. No. That isn't correct because you say monetary matter. As secretary of the fund it was occasionally my duty, in fact, often my duty, to report the decision of the fund to governments.

Senator MUNDT. That wasn't the question. I would presume there were frequently conferences abroad—monetary problems such as the Austrian devaluation of the shilling. My question was: When members of the fund had information to communicate, approval or disapproval or suggestions, whether you relayed the communication direct or it went to Mr. Southard or the National Advisory Council?

Mr. COE. Direct to the United States government.

Senator MUNDT. Direct to the people participating in the monetary discussion taking place?

Mr. COE. Well, Senator, it would depend on the people. If the people were members of our own staff, that is the fund's staff, who were abroad, it might occasionally have happened that I transmitted a message from some one group or body inside the fund. I think, Senator, that it would save a good deal of time if I read the exact matter. There are many different kinds of action which could be involved. I could just be helpful in this respect: it sounds like an unusual procedure and one I wouldn't have participated in.

Senator MUNDT. We will defer the next appearance until Friday at 10:30 and you will be supplied with a transcript of the testimony of Mr. Kerekes and Mr. King.

Did you know either of these gentlemen?

Mr. COE. To the best of my knowledge, I do not.

Senator MUNDT. At this time you have no recollection whatsoever of this Austrian shilling conference?

Mr. COE. That is right.

Mr. COHN. Do you know the Czechoslovakian delegate to the Monetary Fund, Mr. Coe?

Mr. COE. Yes. Assuming that you mean the technical language—the executive director. He was the Czech National who was on the board at one period of time when I was secretary of that board.

Mr. COHN. In the fall of 1949 was he a Communist—the Czech representative or executive director or whatever you want to call him?

Mr. COE. I don't know—

Mr. COHN. He represented the Czech government, did he not? That was after the fall of Czechoslovakia. The fall of Czechoslovakia was in 1948.

Mr. COE. I don't actually—I know that Czechoslovakia, at that time, was a government in which the Communist party was predominant.

Mr. COHN. Did you ever have any connection, other than that concerning your official duties, with any Communists connected with the International Monetary Fund representing a foreign nation? I am not talking about American Communists. Representatives of Czechoslovakia or the Soviet Union?

Mr. COE. You are asking whether I had any relations other than official relations. I presume you would mean other than casual social relations.

On advice of counsel—

Senator MUNDT. I think you should know that would include social relations.

Senator JACKSON. Well, more than just casual social acquaintances.

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Do you know a man named William H. Taylor?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Senator MUNDT. Wasn't he your assistant at the Monetary Fund?

Mr. COHN. He was an associate at the fund.

Mr. COE. It is a matter of record that Mr. Taylor occupied, during a number of years, a position in the fund.

Senator MUNDT. Then you knew him, of course. You worked in the same office, did you not?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer the question.

Senator MUNDT. I am wondering if you understand the question. I thought we were talking about a man who was an associate of yours in your office. You said he was.

Mr. COE. I am saying I know as a matter of record there was a William H. Taylor employed in the fund over a period of time when I was there.

Senator MUNDT. He was still there when you, left?

Mr. COE. I am declining to answer the question of whether I knew or associated with him.

Mr. COHN. As a matter of record, what was his position?

Mr. COE. I believe his title was assistant director of the Latin American Department. Some title in one of the departments—what we would call the Geographic Department of the International Monetary Fund. That is a matter of record that he held that position. He may have held other positions.

Mr. COHN. As far as you know, is Mr. Taylor still employed by the fund? Was he there when you left?

Mr. COE. I believe, as a matter of record, he was there when I left. Whether he is there now, I don't know.

Mr. COHN. Now, was this William H. Taylor in the Communist spy cell in 1945 and thereafter?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Do you recall that in 1948 you appeared with Miss Elizabeth Bentley—I will ask you this. Do you know Elizabeth Bentley?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. You recall, as a matter of record, that Elizabeth Bentley appeared under subpoena before the House Un-American Activities Committee and there testified that you, William H. Taylor and others were members of the Communist spy cell? You know as a matter of record that she so testified?

Mr. COE. I know that there is a record of testimony in which Miss Bentley made that or similar accusations against myself.

Mr. COHN. And following that you appeared before that committee. Senator Mundt was presiding before that session. He was Congressman Mundt then.

Mr. COE. Yes.

Mr. COHN. Do you recall you denied having ever been a member of the Communist party and engaged in espionage against the United States?

Mr. COE. I believe there is a record of that.

Mr. COHN. Were you telling the truth when you gave these answers to Congressman Mundt?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. The record shows also you admitted friendship and association with a number of other people Miss Bentley identified as spies. Were you telling the truth when you admitted these associations?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Were you telling the truth when you testified before the House Committee, at that time—1948—that you had socialized virtually every week with the people named by Miss Bentley as members of the Silvermaster spy set-up?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question. I would like to answer that you have not given an accurate summary or report.

Mr. COHN. The record will speak for itself.

Mr. COHN. Now, do you know Lauchlin Currie?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Do you know Alger Hiss?

Mr. COE. On advice of counsel and under protection of the Fifth Amendment, I respectfully decline to answer that question.

Senator MUNDT. Mr. Coe, on the trip you just returned from, did you see Lauchlin Currie?

Mr. COE. On advice of counsel and under protection of the Fifth Amendments I respectfully decline to answer that question.

Senator MUNDT. You know that he is in South America?

Mr. COE. On advice of counsel and under protection of the Fifth Amendments I respectfully decline to answer that question.

Mr. COHN. Is it a fact that the man who sponsored you in many positions in the United States government was Harry Dexter White?

Mr. COE. On advice of counsel and under protection of the Fifth Amendments I respectfully decline to answer.

Mr. COHN. Were you a member of the Communist party spy cell with Harry Dexter White?

Mr. COE. On advice of counsel and under protection of the Fifth Amendment, I respectfully decline to answer.

Mr. COHN. Do you know Harry Dexter White?

Mr. COE. On advice of counsel and under protection of the Fifth Amendment, I respectfully decline to answer.

Mr. COHN. You worked in agency after agency with him, did you not? As a matter of record now, doesn't the official record show that you worked in departments or agencies with him?

Mr. COE. I believe they do.

Mr. COHN. Do they show Harry Dexter White as your superior?

Mr. COE. Yes, I believe they do.

Mr. COHN. You still refuse to tell us whether you knew this Harry Dexter White?

Mr. COE. That is correct.

Mr. COHN. Do you know Nathan Gregory Silvermaster?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. Do you know Dr. Philip Jessup?

Mr. COE. On advice of counsel and under protection of the Fifth Amendments I respectfully decline to answer.

Mr. COHN. Now, you say it was approximately 1951 that the State Department denied a passport to you?

Mr. COE. Yes.

Mr. COHN. The passport had been applied for so you could take an official trip on behalf of the International Monetary Fund. Is that correct?

Mr. COE. That is correct.

Mr. COHN. Now, as a top official you had to go abroad on official fund business and you applied for a passport and were turned

down. The next step, you asked the fund for a review. As an official of the fund you asked for a review. After full consideration the State Department adhered to their original position and refused a passport. Is that right?

Mr. COE. I think I will limit myself to saying that I understand that sometime subsequently they still maintained that position.

Mr. COHN. How did they review that? How fully?

Mr. COE. I don't know.

Mr. COHN. You were one of the top officials of the fund and the State Department wouldn't even let you leave the country on security grounds. How long after that did you continue as secretary of the International Monetary Fund?

Mr. COE. I continued through the date we have mentioned earlier, which was sometime early in December of this year.

Mr. COHN. About one year?

Mr. COE. Yes.

Mr. COHN. Was your resignation requested by the fund at any time during that year?

Mr. COE. No.

Mr. COHN. Did they hold any hearings or do anything to deal with the situation to your knowledge? One of its top officials being denied a passport for security reasons.

Mr. COE. Yes, they constantly interrogated me, held hearings, requested information, and I understand that they were taking other action.

Senator JACKSON. Who held hearings?

Mr. COE. The managing director.

Senator JACKSON. Of the fund?

Mr. COE. Yes, Ivar Rooth.

Senator JACKSON. When did those hearings commence?

Mr. COE. They commenced as soon as he and I learned that the passport had been denied.

Senator JACKSON. What was the nature of these hearings?

Mr. COE. Interrogations about previous allegations which had been made about me.

Senator JACKSON. The Monetary Fund held the hearings?

Mr. COE. That is correct.

Senator MUNDT. Were they formal hearings? Did you testify under oath or were they just inquiries informally?

Mr. COE. They consisted of questioning of me at various times over this period. I can't be sure, but I don't believe they were under oath.

Senator MUNDT. I don't believe they had the machinery for holding hearings and placing a witness under oath.

Mr. COE. I was subject to a so-called fund oath. I suppose in that respect everything was subject to that.

Senator MUNDT. A fund oath you say?

Mr. COE. That is the oath of office the fund employees take.

Senator MUNDT. What does that prescribe?

Mr. COE. Well, I am sorry but I can't repeat it.

Senator JACKSON. What is the substance of it? Is it like a senatorial or congressional oath?

Mr. COE. Yes. You take an oath to uphold the principles of the fund and to act in a certain manner.

Senator JACKSON. It is not a loyalty oath to any particular country?

Mr. COE. No. It is an oath to behave as an international civil servant. The oath is a printed one in the by-laws. It is laid down in the by-laws, the rules and regulations of the fund, and can easily be made available to you through the United States executive director.

Senator MUNDT. The only point I am trying to bring out is that in the hearing you had with the fund committee, you obviously were not testifying under oath as you would testify before a Senate committee or a grand jury?

Mr. COE. None of these hearings had any force of law in the United States. Just exactly what force they had in the fund, I think you lawyers would have to say.

Mr. COHN. Do you know Mr. Southard, executive director of the United States to the fund?

Mr. COE. Yes.

Mr. COHN. Did Mr. Southard participate in any of these interrogations of you?

Mr. COE. I don't believe that he ever did.

Mr. COHN. Was your situation ever discussed with him in your presence? Do you know if it was ever discussed with him?

Mr. COE. I believe that it was, but I couldn't swear positively.

Mr. COHN. What is your knowledge of his participation on your situation?

Mr. COE. It relates to a general belief that such matters would have been discussed by the managing director with the executive director of the U.S. I have no specific information, but I think, I can't swear, I was informed that such discussions had taken place. I couldn't be certain.

Mr. COHN. You and he never had any direct discussion?

Mr. COE. Not that I recall.

Mr. COHN. Were you friendly with Mr. Southard? Was there any unfriendliness between you?

Mr. COE. Well, I wouldn't wish to characterize the thing unless—

Senator MUNDT. There were no prevailing disagreements or arguments, but a normal relationship in the fund?

Mr. COE. We had primarily a business relationship.

Senator MUNDT. Do you know him at all socially?

Mr. COE. At various social functions, "yes."

Senator JACKSON. Was it a casual social acquaintance or was it intimate?

Mr. COE. Well, I would say that it occurred at functions where fund people would be present generally and functions given for fund people.

Senator JACKSON. In connection with normal functions of the agency?

Mr. COE. Yes. They might be and were, of course, social functions arranged by different people from time to time and he and I would be present.

Senator JACKSON. Did it go beyond that?

Mr. COE. We have known each other in a business way over a good many years. We have never been intimate socially.

Senator JACKSON. Have you ever had lunch and dinner with him?

Mr. COE. Yes.

Senator JACKSON. Have you ever been to his home?

Mr. COE. I don't recall that I have.

Senator JACKSON. Has he ever been to yours?

Mr. COE. I don't recall that he has.

Senator JACKSON. You mentioned a business relationship. Was that outside the government, Mr. Coe?

Mr. COE. He was also for a number of years in the government when I was. In fact, he was in the Treasury Department.

Senator JACKSON. I thought maybe you meant in private business.

Mr. COE. I think originally he was a professor.

Senator JACKSON. Your business relationship was in the government?

Mr. COE. Yes. I think your questions relate to the fund relationship. He was a member of the board when I was secretary.

Senator JACKSON. You did say that over quite a period of years you knew him in a business relationship?

Mr. COE. Six years in the fund and for other periods in the U.S. government.

Mr. COHN. Mr. Coe, was Mr. Southard friendly with William H. Taylor?

Mr. COE. I can't say that.

Mr. COHN. Did you know Edward Posniak at the U.S. Monetary Fund?

Mr. COE. On advice of counsel and under protection of the Fifth Amendment, I respectfully decline to answer that question.

Mr. COHN. You know as a matter of official record that Mr. Posniak worked at the fund, did you not?

Mr. COE. I am not sure I know it as a matter of record. I have seen it stated. I have heard of him at the fund.

Mr. COHN. By the way, Mr. Coe, you were named by Senator McCarthy back in 1950, weren't you, in certain speeches he made?

Mr. COE. I don't recall.

Mr. COHN. You testified that trouble concerning you at the fund started after Senator McCarthy made a speech mentioning you?

Mr. COE. I think I testified that shortly after Senator McCarthy in 1952, just before the elections, mentioned me in a speech, and after that [Treasury] Secretary [John] Snyder demanded, I understand, of the fund that I be dismissed.

Mr. COHN. When did you leave the American government? When did you leave your position with the American government?

Mr. COE. About the mid part of 1946.

Mr. COHN. What was your employment at that time?

Mr. COE. I was director in the American government—director of the Division of Monetary Research in the Treasury Department.

Mr. COHN. Were you working with Harry Dexter White then?

Mr. COE. It is a matter of record that at that time or somewhere before that time, I think, he was assistant director.

Senator JACKSON. Do you know Lawrence Duggan?

Mr. COE. On advice of counsel and under the protection of the Fifth Amendment. I respectfully decline to answer that question.

Senator MUNDT. You will be here at 10:30 a.m. Friday.

Senator JACKSON. Mr. Chairman, the witness understands that he is to come prepared, among other things, to answer all questions with relation to the part, if any, he played regarding the Austrian currency matter in 1949. I take it the witness will check the records and contact whatever people he can to refresh his recollection.

Senator MUNDT. I don't know that there are any records available to him.

Senator JACKSON. I assume he can ask the people at the Monetary Fund.

Mr. COHN. They are not available to him.

Mr. COE. I shall certainly try to come prepared. You said it was public?

Senator MUNDT. I think we will have you come into this room at ten o'clock and have an executive to determine whether we will have a public hearing or not. Come here Friday at ten o'clock.

Mr. COHN. Of course, Mr. Coe, the executive session and testimony given in executive session is completely confidential on the part of the committee and on the part of witness and his counsel.

Mr. FRIEDMAN. You don't mean that Mr. Coe is under restriction to the press if he is questioned. There have been a lot of things said.

Mr. COHN. We don't want to stop Mr. Coe from saying what he wants to to the press.

[Whereupon the hearing adjourned.]

## AUSTRIAN INCIDENT

FRIDAY, JUNE 5, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:00 a.m. in room 357 of the Senate Office Building, Senator Karl E. Mundt, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Missouri.

Present also: Roy M. Cohn, chief counsel; Donald A. Surine, assistant counsel; Ruth Young Watt, chief clerk; Mason Drury, Senate liaison officer, State Department.

### TESTIMONY OF V. FRANK COE (ACCOMPANIED BY HIS COUNSEL, MILTON H. FRIEDMAN)

Senator MUNDT. The committee will come to order.

The witness has been sworn previously and is reminded that he is still under oath.

Mr. COHN, you may proceed.

Mr. COHN. Mr. Coe, have you had opportunity to refresh your recollection as to whether you know anything about the devaluation of the shilling in Austria in 1949?

Mr. COE. Yes, I have.

Mr. COHN. Do you know anything about it?

Mr. COE. I have, on refreshing my recollection, I would say, to put it simply and categorically, I am quite convinced that I had no participation whatsoever in the events alleged by the witnesses before this committee or as broadcast to newspapers.

Mr. COHN. I think the question was: Do you know anything about the devaluation of the shilling in Austria in 1949?

Mr. COE. Of course, I have read the transcript and have talked to one or two people. I am convinced that at that time I had no participation.

Mr. COHN. Do you know anything about it at this time? As far as that time is concerned, that is okay. We know you left the country in mid-October.

Mr. COE. I said I had no participation. Prior to that time I haven't inquired about my participation, if any.

Mr. COHN. Well, that is fine for the time, but we didn't get a date.

Mr. COE. I am convinced as far as the allegations before this committee, I can say they are untrue.

Mr. COHN. I know you might be convinced of that, but these negotiations began before October—

Mr. COE. I had one day to make the investigation. If you want to ask me specific questions as to whether at any time prior or since I had anything to do with it, I will try to refresh my recollection and answer.

Mr. COHN. You mean to say you did not refresh your recollection as to this entire thing? You took a date and confined it to that?

Mr. COE. I personally, at this moment, have no recollection. Mr. Cohn, as you know, the committee was kind enough to give me the transcript of the executive session. I endeavored to focus on everything that went into that executive session. All the assertions that were made there I am prepared to deal with one by one or any way the committee wants.

Senator MUNDT. For the record, you were provided with a transcript of the executive sessions and had opportunity to read them?

Mr. COE. Yes. I meant to say that for the record. That record itself covers a very broad territory. I have refreshed my memory and endeavored to go beyond that and make some inquiries. Now, if there is anything beyond that in the record that you want to know about my activities—in other words, if the record is incomplete, and you would care to ask me specific questions.

Senator MUNDT. Would you care to tell the committee with whom you have been advising in order to refresh your memory?

Mr. COE. Yes, I went to the acting head of the fund.

Mr. COHN. Mr. Cochran?

Mr. COE. Mr. Cochran.

Mr. COHN. Your testimony is that you only refreshed your recollection for the period in mid-October prior to your departure on your trips up until the time of your returns and you are not prepared to deal with the situation prior to that time?

Mr. COE. No, I wouldn't say that. That is, of course, what I concentrated on. I said to myself, "What is in the record? What inquiries, if any, can I make in this brief time? What ought I to try to remember carefully?" I didn't bar myself from remembering anything pertinent that may have been before.

Mr. COHN. Let's talk about the pertinent material before. What part did you have in the negotiations concerning the devaluation of the shilling in Austria?

Do you know anything about it? Did you know negotiations were under way for the devaluation of the shilling in Austria?

Mr. COE. I don't recollect that I did.

Mr. COHN. No recollection.

Mr. COE. No.

Mr. COHN. In other words, as far as you are concerned, the first you ever heard about the thing was when you examined the transcript and heard about the situation?

Mr. COE. That is correct. I should say I read in the record that there had been a mission from the fund that was out there sometime earlier and whatnot.

Mr. COHN. When did you read that?

Mr. COE. Yesterday. And since I was in the fund at that time, I assume, though I don't recall it, that I knew about it.

Mr. COHN. You assume that you knew about it?

Mr. COE. That is right.

Mr. COHN. But you have no recollection of it?

Mr. COE. I have no recollection of it. I would say, as you know, Mr. Cohn, I imagine there were fifty or seventy-five missions that go out to countries every year and I was there six or seven years.

Mr. COHN. You might have known about it, but you are not in a position to discuss your part?

Mr. COE. I think, Mr. Cohn, that if there were any specific questions it might refresh my recollection and I would discuss it with you.

Mr. COHN. First question: When were you advised that these negotiations were to take place? What did you do about that advice? What part did you take in that situation? What was your view?

Mr. COE. That I don't know. I would say this more generally: When the fund's mission went out there sometime in 1949 to discuss the situation with the Austrians, the matter probably did come before our executive board to receive approval. At that time, if I was in Washington, I must have known about it, and, therefore, was advised.

Senator MUNDT. As secretary, did you attend meetings of the executive board of the fund or did anything that came before them come to you?

Mr. COE. As secretary I usually attended the meetings so that what came before them, except certain sessions held without any staff whatsoever, I certainly had visual information.

Senator MUNDT. I presume those executive sessions were not about the monetary situation but administrative or personnel problems of the fund. Is that correct?

Mr. COE. I think your surmise is quite correct. That is the way they operate.

Senator MUNDT. In our committee if we have some question about the staff, salary, etc., we do not invite the staff. All committees seem to operate the same way.

Mr. COHN. Now, Mr. Coe, do you know Alger Hiss?

Mr. COE. May I consult my attorney?

Mr. COHN. Sure.

Mr. COE. Mr. Chairman, in previous questioning, it was raised in my mind the question of what I was brought here for. I read this transcript in order to be able to answer questions about it. The whole first series of questions aren't about the transcript at all but anything that my not be in the transcript. Now the question is, do I know Alger Hiss? Of course, I know—

Senator McCARTHY. Mr. Chairman, we are not asking the witness for a speech. I ask the chairman that the witness be directed to answer the question.

Senator MUNDT. The witness will answer the question,

Mr. COE. On advice of counsel and under protection of the Fifth Amendment, I respectfully decline to answer the question.

Mr. COHN. Mr. Coe, who obtained your employment with the International Monetary Fund for you?

Mr. COE. I was appointed secretary of the International Monetary Fund by Mr. Camille Outt. He was manager-director formerly.

Mr. COHN. Who were your references?

Mr. COE. I was told by Mr. Camille Outt he acted on the senior staff position on the recommendation of secretary of treasury, now Chief Justice, [Fred] Vincent.

Mr. COHN. It is your testimony that he is your reference for that position?

Mr. COE. That is what I heard from Mr. Campenhout.

Senator MCCARTHY. Did Dean Acheson recommend you?

Mr. COE. Not so far as I know. He may have.

Senator MCCARTHY. Is that the time Dean Acheson was undersecretary of treasury?

Mr. COE. I don't recall. He was in and out—no, he wasn't. Will Clayton was undersecretary of treasury.

Senator MCCARTHY. Did you consult with Dean Acheson before you got this job?

Mr. COE. So far as I recall, I did not.

Senator MCCARTHY. Did you know Dean Acheson?

Mr. COE. Yes.

Senator MCCARTHY. Socially?

Mr. COE. I suppose I met him at a few social affairs. We were not socially intimate.

Senator MCCARTHY. Did you ever go to his home?

Mr. COE. I don't recall ever having been to his home or he to mine.

Senator MCCARTHY. You say you don't recall ever having been to his home?

Mr. COE. Yes. I think so. Of course, I have been to thousands of homes, Senator McCarthy, so I would hate to make a categorical answer. I might have been to his door delivering a paper.

Senator MCCARTHY. Was Dean Acheson, to your knowledge, a Communist?

Mr. COE. May I consult counsel? I heard—

Senator MUNDT. Mr. Coe, either you know he was or was not. You don't have to consult with your counsel to get that.

Mr. FRIEDMAN. He is not consulting me as to his answer.

Mr. COE. As far as I know, he was not.

Senator MCCARTHY. You started to say you heard something. What did you start to say you heard? He was or he was not?

Mr. COE. I started to say that I read, especially in the record of investigating committees and, I believe, some of your own statements, Senator McCarthy, a great deal of derogatory material about Dean Acheson. So far as I know, however, he was no Communist.

Senator MCCARTHY. Do you have my reason to believe that he was a Communist?

Mr. COE. No more so than a lot of people attacking him.

Senator MCCARTHY. You never attended Communist meetings when Dean Acheson was present?

Mr. COE. No.

Senator MCCARTHY. And you say you do not know that he recommended you for the job in the UN?

Mr. COE. In the International Monetary Fund?

Mr. COHN. That is an agency of the UN.

Mr. COE. May I say there that, of course, I don't know with whom the managing director—

Senator MCCARTHY. Were you in the State Department at one time?

Mr. COE. No.

Senator MCCARTHY. Were you in the Foreign Economic Administration?

Mr. COE. Yes.

Senator MCCARTHY. Is that considered part of the State Department?

Mr. COE. No, it wasn't at that time.

Senator SYMINGTON. Mr. Coe, do you know any member of President Eisenhower's cabinet who is a Communist?

Mr. COE. No, and I don't know any member of the preceding cabinets who was, to my knowledge, a Communist.

Senator MCCARTHY. To make it conclusive, ask him "was."

Senator SYMINGTON. Do you know any member who is or was a Communist?

Mr. COE. No, and the same reply which I wished to interpose, if you will allow me, with both preceding cabinets.

Senator SYMINGTON. Have you any more right to say Dean Acheson was a Communist, than you have to—

Senator MUNDT. I would like to say he did not say Dean Acheson was a Communist.

Mr. COE. Thank you, Mr. Chairman.

Senator SYMINGTON. Have you any more right to consider that Dean Acheson was a Communist than that any member of the present cabinet is a Communist?

Mr. COE. I personally, Senator Symington, think that I have not, but I cannot help but be aware that there are broadcasts—charges—about a lot of people which in the minds of other people create the impression that they are Communists. That having been done about Dean Acheson, I wanted to be careful in my reply.

Mr. COHN. Mr. Coe, are you a Communist today?

Mr. COE. Mr. Chairman, on advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer that question.

Senator MUNDT. Any other questions you might have?

Mr. COHN. I just want to ask the witness one thing. You were in the Treasury Department in 1944 or 1945. When did you leave the Treasury Department?

Mr. COE. I was not in the Treasury Department in 1944. According to my recollection I was there in 1945.

Mr. COHN. Do you have any knowledge of the circumstances under which plates were given to the Soviet Union by the Treasury Department for the purpose of printing occupation currency in Germany?

Mr. COE. I know that they were. It is impossible for me to disentangle what I read about that and what I remember. I would have to know dates, when I was there to be really responsive to your question, Mr. Cohn.

Mr. COHN. Did you have any participation in that?

Mr. COE. I may have. I don't recall.

Mr. COHN. The fact is you did, isn't it?

Mr. COE. Well, if you will show me a record.

Mr. COHN. I want you to assert your recollection. We don't have to show you a record.

Mr. COE. I didn't know that question was coming in. I haven't searched it before. I know from the public press there has been a good deal of discussion about that.

Mr. COHN. Were you present at any discussion about giving these plates to the Soviet Union?

Mr. COE. I really couldn't say. At this time——

Mr. COHN. In other words, you need time to refresh your recollection.

Mr. COE. If you have records I would certainly like to see them, if that is a subject of inquiry.

Mr. COHN. Your testimony is that you have no recollection of being present at the time that the question of giving our money plates to the Russians was considered?

Mr. COE. No recollection whatsoever——

Mr. COHN. Do you have any recollection——

Mr. COE. If I may finish the answer. What I said, Senator McCarthy, was that any participation I may have had or any memory I may have had of that event is intermingled with the recurrent statements about it in the papers in the last few years. I know that the events took place. They took place about the times I assume I was in the Treasury Department. It is a subject in which people related with me, superiors and subordinates, would have had to deal and I may well have had to deal. I don't recall any details.

Senator MCCARTHY. Were you a member of the Communist party at that time?

Mr. COE. Mr. Chairman, on advice of counsel and under the protection of the Fifth Amendment, I respectfully decline to answer.

Senator MCCARTHY. Were you engaged in espionage work at that time?

Mr. COE. Mr. Chairman, on advice of counsel and under protection of the Fifth Amendments, I respectfully decline to answer.

Senator MUNDT. We will recess this hearing and you should be in the Caucus Room at 10:30 where we will reconvene.

Mr. COHN. That is 318, Mr. Coe.

[Whereupon the hearing adjourned.]

## COMMUNIST PARTY ACTIVITIES, WESTERN PENNSYLVANIA

[EDITOR'S NOTE.—When FBI informant Joseph D. Mazzei (1917–2000) testified in public session on June 18, 1953, he identified Louis Bortz as a Communist party functionary who had been ordered to “liquidate” Senator McCarthy. According to Mazzei, Bortz had conducted clandestine classes in Pittsburgh to familiarize Communist party members with handling firearms and making bombs. Bortz, who also testified in public on June 18, declined to respond to these charges on the grounds of self-incrimination. During the Army-McCarthy hearings, Senator McCarthy said of Bortz’s alleged assassination plans: “I frankly wasn’t much impressed by him. I think he was just bragging.” However, Senator McCarthy grew annoyed by Bortz’s repeated invocation of the Fifth Amendment, and during a television interview on June 21 he declared that anyone who refused to tell the subcommittee whether he was a Communist “obviously is a Communist,” since the only way a witness could be incriminated by giving a truthful answer was if he was indeed a Communist.

In 1953, Mazzei’s testimony helped to convict five Communist party leaders in Pittsburgh for conspiracy to violate the Smith Act. But during his testimony in a later case, Mazzei was revealed to have lied about whether the FBI had arranged for him to infiltrate the army, how much the bureau had paid him, and about his previous arrest and conviction. Nor could his allegations of sabotage and espionage be corroborated. In 1956, the U.S. solicitor general conceded that Mazzei’s “untrue statements might have been caused by a psychiatric condition.” The Supreme Court then ordered a new trial for the Pittsburgh defendants. Writing for the majority, Chief Justice Earl Warren declared that Mazzei’s testimony had been “wholly discredited by the disclosures by the Solicitor General.”

Herbert S. Hawkins served as an investigator for the subcommittee from February 1, 1953 to November 15, 1954. He did not testify at the public hearing.]

WEDNESDAY, JUNE 17, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:00 p.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Stuart Symington, Democrat, Missouri.

Present also: Roy M. Cohn, chief counsel; Francis D. Flanagan, general counsel and staff director; Howard Rushmore, research director; Donald A. Surine, assistant counsel and investigator; Herbert Hawkins, investigator; Ruth Young Watt, chief clerk.

### TESTIMONY OF LOUIS BORTZ

The CHAIRMAN. Will you stand and raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BORTZ. I do.

The CHAIRMAN. Will you give us your name?

Mr. BORTZ. Louis Bortz. B-o-r-t-z.

The CHAIRMAN. And your first name?

Mr. BORTZ. Louis. L-o-u-i-s.

The CHAIRMAN. You may step down and wait in the hall. We want to take some testimony from another witness before we hear yours.

#### TESTIMONY OF HERBERT S. HAWKINS

The CHAIRMAN. Will you first identify yourself?

Mr. HAWKINS. Herbert S. Hawkins, investigator.

The CHAIRMAN. You are one of the investigators of the subcommittee?

Mr. HAWKINS. Yes, sir.

Mr. COHN. Mr. Hawkins, before you came to the committee, were you a special agent for the Federal Bureau of Investigation?

Mr. HAWKINS. That is right.

Mr. COHN. Were you in Pittsburgh, Pennsylvania during the last two days?

Mr. HAWKINS. Yes, I was.

Mr. COHN. And while you were in Pittsburgh did you talk to a certain witness who attended a Communist meeting on December 4, 1952?

Mr. HAWKINS. I did.

Mr. COHN. Did this witness tell you what had transpired at this meeting while he was present?

Mr. HAWKINS. Yes, he did.

Mr. COHN. Was there any mention of Senator McCarthy at this meeting?

Mr. HAWKINS. Yes.

Mr. COHN. Would you tell us first just what that meeting was? Tell us what this meeting was as the witness related it to you.

Mr. HAWKINS. It was a meeting of the Communist party attended by the top leaders of the Communist party in the Pittsburgh area.

The CHAIRMAN. May I interrupt at this time? Is it correct that the witness to which you refer has been identified to you and is known to you as an undercover agent of the FBI?

Mr. HAWKINS. Yes, and he is classified as a highly reliable source by the FBI.

Mr. COHN. Now, Mr. Hawkins, was it a closed Communist party meeting attended by the top leaders of the Communist party? Is that right?

Mr. HAWKINS. That is right.

Mr. COHN. Was there any mention of Senator McCarthy at that meeting? What did the witness tell you was said about Senator McCarthy?

Mr. HAWKINS. The witness stated that instructions were given to those in attendance at that meeting that Senator McCarthy was among those listed by the party for liquidation or murder.

Mr. COHN. And was this assignment given to any individual?

Mr. HAWKINS. Yes.

Mr. COHN. Was it given to any American agent?

Mr. HAWKINS. Louis Bortz.

Mr. COHN. He is an American agent of the Communist party?

Mr. HAWKINS. That is correct.

Mr. COHN. Was that Louis Bortz present at that meeting on December 4th?

Mr. HAWKINS. Yes, he was.

The CHAIRMAN. Did he accept the assignment?

Mr. COHN. Following that meeting did this witness tell you that there had been further discussion concerning the supposed liquidation of Senator McCarthy involving Mr. Bortz who had this assignment?

Mr. HAWKINS. Yes.

Mr. COHN. Mr. Chairman, I would like to state for the record that the name of the witness is known to us. He is under subpoena now by the United States attorney in Pittsburgh for the Smith Act trial. At the request of the FBI we are withholding the actual calling of this witness until he has completed his testimony at the Smith Act trial, at which time he will be available to us. It is the express request of the FBI to protect the identity of the informant.

The CHAIRMAN. Just by way of resume, Mr. Hawkins has been testifying as to what was told him by an undercover agent of the FBI. This undercover agent of the FBI is taken out of the underground by the FBI and will be available to testify on this court case on trial, and the Justice Department or the FBI has requested we not call this witness until after he has completed his testimony in the pending case, and as far as you understand, he will be available to testify at that time.

Mr. COHN. Yes.

Mr. SURINE. Mr. Hawkins, did this witness turn over to you a document concerning that meeting?

Mr. HAWKINS. Yes, he did.

Mr. SURINE. On December 4, 1952?

Mr. HAWKINS. Yes,

Mr. SURINE. I wonder if you could read that into the record? Describe what the document is?

Mr. HAWKINS. The document lists five points listing the instructions and information that was given out at this Communist party meeting on December 4, 1952.

The CHAIRMAN. That will be inserted in the record. We will withhold any further testimony from Mr. Hawkins.

Mr. COHN. Delete the name of the witness from that statement.

I. The present "peace offensive" is designed to be the last stage in the program of administering a "sedative" to the American people before the hammer of war falls on Continental United States. All functionaries have been alerted to concentrate on this present phase of the "peace offensives" for the purpose of building resistance to war and clamour for tax reduction so as to effect the defensive power of the Nation.

II. In line with the "peace offensive," all trade union functionaries have been ordered to lay low, to make it appear that the class struggle has been sidetracked by the present Russian regime.

III. Actual "operation propaganda" is concentrating upon school, churches and children with principal reliance on front agencies, notably Civil Rights Congress.

IV. Senator McCarthy is among those listed for liquidation or murder—an American agent assigned to the job (L.B.).

V. The pending communist cases against known communist functionaries have been ordered dragged out for the purpose of diverting the attention of the American people to the 'down in the mouth defendants' to make it appear that the communists apparatus U.S.A. is bankrupt, defunct and on its way to the prison, when actually,

there has never been more money or more activity in the communist apparatus in the past eleven years.

#### TESTIMONY OF LOUIS BORTZ

Mr. COHN. Mr. Bortz, you have been sworn. Is that correct?

Mr. BORTZ. Yes.

Mr. COHN. Mr. Bortz, are you a member of the Communist party?

Mr. BORTZ. I think that is quite an unfair question without any legal or any kind of advice and also I think that it would be self-incriminating.

Mr. COHN. You have conferred with counsel—

Mr. BORTZ. Any answer "yes" or "no" will be self-incriminating.

Mr. COHN. You have conferred with counsel have you not, since you were told to come down here?

Mr. BORTZ. I didn't have enough time to talk it over with someone. Someone linked Hymen Schlesinger to me.

Senator SYMINGTON. If you are not a member of the Communist party and said you were not a member of the Communist party, why do you think that would incriminate you?

Mr. BORTZ. I don't know you people. You probably have something up your sleeve. I have read about Joseph McCarthy.

Senator SYMINGTON. If you had been asked whether you committed a robbery and you said you hadn't, would that incriminate you?

Mr. BORTZ. Well, I can't say. Unless there is some purpose behind it, I think it is self-incriminating.

Mr. COHN. You have talked to Hymen Schlesinger concerning your appearance here?

Mr. BORTZ. After he approached me.

Mr. COHN. He is a member of the bar and you conferred with him.

Mr. BORTZ. That is right. He approached me, after he was linked with me. I don't know how this worked.

Mr. SURINE. Mr. Bortz, isn't it true you conferred with Mr. Schlesinger around 7:00 or 7:30 a.m. yesterday morning after you were served with a subpoena by this committee?

Mr. BORTZ. I didn't confer on any particular business. I wasn't hiring him as an attorney.

Mr. SURINE. Did you confer with him?

Mr. BORTZ. I took him to work.

The CHAIRMAN. Do you know what confer means?

Mr. BORTZ. I was going to town to see if I could get an attorney.

The CHAIRMAN. Do you know what confer means?

Mr. BORTZ. You could explain.

The CHAIRMAN. Did you talk to him?

Mr. BORTZ. I talked to him and told him what had happened.

The CHAIRMAN. You went into this with Schlesinger?

Mr. BORTZ. I had to pick him up. He goes to work in Pittsburgh.

The CHAIRMAN. You went to Schlesinger—

Mr. BORTZ. I went to see him for bringing him to work. Now, that makes a difference.

Senator SYMINGTON. Do you take him to work every day?

Mr. BORTZ. Sometimes he takes the bus. It all depends on the situation—what time he has got to get in, and what time I have got to get in.

The CHAIRMAN. Is it your position now that you want an adjournment to hire a lawyer?

Mr. BORTZ. Well, if it is the most practical thing.

The CHAIRMAN. Do you want an adjournment so you can hire a lawyer?

Mr. BORTZ. Yes, I would.

The CHAIRMAN. How much time will you need?

Mr. BORTZ. Tuesday or Wednesday. Probably next Monday or so. I believe I can try.

The CHAIRMAN. How many lawyers have you conferred with, in addition to Mr. Schlesinger?

Mr. BORTZ. None.

Mr. SURINE. Did you see any lawyers in New York?

Mr. BORTZ. No.

Mr. SURINE. Pittsburgh?

Mr. BORTZ. No.

Mr. SURINE. Did you speak to any lawyers over the telephone?

Mr. BORTZ. I tried to contact one fellow.

Senator SYMINGTON. Have you ever been a member of the Communist party?

Mr. BORTZ. That would be self-incriminating.

Senator SYMINGTON. What do you mean?

Mr. BORTZ. If I answer "yes" or "no." I don't know you people.

Senator SYMINGTON. If you say "no," what could we make of it?

The CHAIRMAN. Just so you will know the people here. I am the chairman of the investigating committee. My name is McCarthy. You may be interested in identifying me.

Mr. BORTZ. That is right.

The CHAIRMAN. This is Senator Symington. This is Mr. Flanagan, chief of the staff. This is Mr. Hawkins, one of our investigators and counsel; this is Mr. Cohn, chief counsel; Mr. Don Surine, counsel and investigator; this is the reporter who is taking down every word you say. Now, you know who we are.

Mr. BORTZ. Okay.

The CHAIRMAN. Now, will you answer Senator Symington's question?

Mr. BORTZ. Can I make a statement?

The CHAIRMAN. You can make any statement you care to.

Mr. BORTZ. Now, you know the president has said just a few days back about book burning. I am not passing reflection on Mr. McCarthy. All I know is what I read. Don't blame me for not trusting anyone linked up with book burning. That is why I say self-incriminating. All I want to say is my name and address and that is all. Maybe we can save the time of the taxpayers.

Senator SYMINGTON. Have you ever been a member of the Communist party?

Mr. BORTZ. I would say that would be self-incriminating.

Senator SYMINGTON. Are you a member of the Communist party now?

Mr. BORTZ. Same answer.

Senator SYMINGTON. Are you an American citizen?

Mr. BORTZ. Yes.

Senator SYMINGTON. Do you think you are a good American?

Mr. BORTZ. I certainly hope so.

Senator SYMINGTON. If you were a good American would you want to belong to an organization dedicated to the overthrow of the United States by force and violence?

Mr. BORTZ. Certainly not.

Senator SYMINGTON. Do you believe the Communist party is dedicated to the overthrow by force and violence of the United States?

Mr. BORTZ. That is a matter of opinion. Lots of people think pro and con and I am not ready to give an opinion. I am not a politician.

Senator SYMINGTON. What you are saying is you could not be a member of the party and be a good American?

Mr. BORTZ. Don't put words in my mouth. It is self-incriminating whatever I do say. I have said enough.

Senator SYMINGTON. You don't care to testify before the committee any further?

Mr. BORTZ. As far as incriminating myself, I cannot. I need an attorney besides.

Mr. SURINE. Mr. Bortz, isn't it true Mr. Schlesinger gave you advice in this matter?

Mr. BORTZ. Well, yes.

Mr. SURINE. And isn't it true he advised you to honor this subpoena?

Mr. BORTZ. That is right. As such as he could under the circumstances and the time he had.

The CHAIRMAN. Schlesinger advised you to come here?

Mr. BORTZ. I wanted to come myself. He left it up to me. He says he is not my attorney and he can't advise me further than what I wanted to do.

Mr. COHN. You said you conferred with Mr. Schlesinger about your appearance here?

Mr. BORTZ. I did after he approached me on it.

Mr. COHN. The fact is that you did confer with Mr. Schlesinger about your appearance here?

Mr. BORTZ. I conferred in the sense that after talking it over, telling him what happened the night before, and he didn't give me any instructions or anything. He is not my attorney. In that sense I mean. I want to be clear on that.

Mr. SURINE. Mr. Schlesinger told me you contacted him and conferred with him and he advised you to come down here. He advised me that he was your attorney. Did you confer with him last night?

Mr. BORTZ. After he called me up and told me he had a telegram from you.

Mr. SURINE. So at seven o'clock in the morning, Mr. Schlesinger did not know except from you that you had been subpoenaed?

Mr. BORTZ. I told him. I did not ask him to be my attorney.

Mr. SURINE. He did not approach you because he didn't know about it?

Mr. BORTZ. That is right.

Mr. SURINE. You conferred with him last night and what advice did he give you?

Mr. BORTZ. He told as to go right ahead and do what I wanted, to get an attorney if I wanted. He left it directly up to me. He told me definitely he couldn't take it.

Mr. SURINE. Then you called him.

Mr. BORTZ. I don't know.

Mr. SURINE. What conversation did you have with him?

Mr. BORTZ. It was a question of expenses. He didn't seem very interested in taking it. That is my impression.

The CHAIRMAN. Mr. Surine, you talked to Mr. Schlesinger. Is that right?

Mr. SURINE. Twice yesterday.

The CHAIRMAN. And did you discuss with him the appearance of the witness?

Mr. SURINE. Yens and Mr. Schlesinger also discussed with me whether or not the committee would pay his, Schlesinger's, expenses as attorney for this witness. That was last night.

The CHAIRMAN. The subpoena, I believe, originally called for the witness' appearance in New York City. You talked to Schlesinger and told him to have him appear in Washington?

Mr. SURINE. That is right.

The CHAIRMAN. Did Mr. Schlesinger indicate he was coming with the witness?

Mr. SURINE. Last night he did.

The CHAIRMAN. And he asked you whether we would pay his way to Washington?

Mr. SURINE. Yes.

The CHAIRMAN. And he held himself out to you as this man's attorney and advisor?

Mr. SURINE. Yes.

The CHAIRMAN. How did you first learn about Schlesinger being this man's attorney?

Mr. SURINE. From a highly reliable source, which has been mentioned previously in this hearing.

The CHAIRMAN. Mr. Bortz, is Mr. Schlesinger a member of the Communist party?

Mr. BORTZ. How would I know? I wouldn't know.

The CHAIRMAN. Do you know whether he is a member of the Communist party?

Mr. BORTZ. That would be self-incriminating too.

The CHAIRMAN. Are you refusing to answer on the grounds of self-incrimination?

Mr. BORTZ. That is right.

The CHAIRMAN. If Mr. Schlesinger were not a member of the Communist party, it would not incriminate you to say no?

Mr. BORTZ. It would still incriminate me regardless.

The CHAIRMAN. It would incriminate you to say he were not a member of the Communist party if he were not a member? In what way would it incriminate you?

Mr. BORTZ. I don't know what you fellows have behind your mind. I can't afford to say anything and you make something of it. I don't know it. I came here with a lack of confidence in you people—what I read about in the newspapers.

The CHAIRMAN. If you are refusing to answer because of lack of confidence in the committee, you are ordered to answer

Mr. BORTZ. I don't want to incriminate myself.

The CHAIRMAN. Are you refusing to answer on the ground that if you told the truth, a truthful answer might incriminate you?

Mr. BORTZ. Well, that question is incriminating in itself.

The CHAIRMAN. You are ordered to answer that question.

Mr. BORTZ. I can't answer that question on the basis that the truth is definitely the truth and there is no way of getting away from it. What you want to make of that I don't understand.

The CHAIRMAN. You refused to answer the question as to whether or not Mr. Schlesinger is known to you as a member of the Communist party. My question here now is: Are you refusing because you feel a truthful answer might tend to incriminate you?

Mr. BORTZ. Yes, sometimes it would.

The CHAIRMAN. Is it your position that if you would tell us the truth about whether you know that Schlesinger was a Communist that that truthful answer might tend to incriminate you?

Mr. BORTZ. If a "yes" or "no" answer would be the answer it could be incriminating, yes, without knowing the whole background and I am not ready to say anything. I don't want to incriminate myself. I don't have an attorney. I don't have the means of putting up a legal fight of my own. I am not an attorney and I don't profess to know such about law. I am an American citizen.

The CHAIRMAN. Is it your testimony that if you were to tell us the truth, the truth might tend to incriminate you?

Mr. BORTZ. Generally not. It wouldn't incriminate anyone.

The CHAIRMAN. You will answer the question. The question is whether you want to tell this committee today that if you were to tell us the truth in answer to that question about Schlesinger, that truthful answer would tend to incriminate you?

Mr. BORTZ. Yes.

The CHAIRMAN. It would tend to incriminate you?

Mr. BORTZ. Yes.

Mr. SURINE. Mr. Bortz, have you ever used the name of Louis Boritz?

Mr. BORTZ. [Shakes head negatively.] Unless someone misspelled my name. I definitely didn't use that name.

Mr. SURINE. You did not use it?

Mr. BORTZ. [Shakes head negatively.]

Mr. SURINE. Have you ever used the name—

The CHAIRMAN. Pardon me. Let's get this complete.

Have you ever been known by that name?

Mr. BORTZ. No, I am sorry.

The CHAIRMAN. Have you ever been called by that name?

Mr. BORTZ. No, sir.

The CHAIRMAN. The name Louis Borz?

Mr. BORTZ. No.

The CHAIRMAN. Any name like that?

Mr. BORTZ. No, No, sir.

The CHAIRMAN. You have never been known by the name Borz? B-o-r-z?

Mr. BORTZ. No.

The CHAIRMAN. No mail ever addressed to you under that name?

Mr. BORTZ. Unless someone made a mistake. I don't recall. I never gave my name as such.

The CHAIRMAN. Have you ever gone under any name other than the name of Louis Bortz?

Mr. BORTZ. No, sir.

The CHAIRMAN. Never have?

Mr. BORTZ. No, sir.

The CHAIRMAN. And you have never been known by any other name?

Mr. BORTZ. No, sir.

The CHAIRMAN. In any organization?

Mr. BORTZ. No, sir.

The CHAIRMAN. Did you ever go under the name of Paul Boizuk?

Mr. BORTZ. No, sir.

The CHAIRMAN. You were baptized Louis Bortz, were you?

Mr. BORTZ. Yes, sir.

The CHAIRMAN. And you used that name ever since?

Mr. BORTZ. Yes, sir.

The CHAIRMAN. You have never been known under any other name?

Mr. BORTZ. Well, I use to have a middle initial. I dropped it because I didn't like it. I didn't think it is even in my birth certificate record. That was Haskell, H-a-s-k-e-l-l, I think. I never spelled it.

Mr. COHN. Mr. Bortz, were you chairman of the South Side Club of the Communist party at any time?

Mr. BORTZ. That is a self-incriminating question again.

The CHAIRMAN. Do you refuse to answer on the grounds that if you gave a truthful answer, such answer might tend to incriminate you?

Mr. BORTZ. That is right.

Mr. COHN. Are you presently a functionary of the Communist party?

Mr. BORTZ. That would be the same answer.

Mr. COHN. Were you present at a meeting of the Communist party on December 4, 1952?

Mr. BORTZ. Same answer, sir. It will have to be the same answer.

Mr. COHN. Were you present at a meeting of the Communist party on December 4, 1952 in Pittsburgh, when there was a discussion about the liquidation of Senator McCarthy?

Mr. BORTZ. On the grounds that it may perhaps be self-incriminating. I will have to answer the same way.

Mr. COHN. What way is that? You refuse to answer?

Mr. BORTZ. I can't answer.

Mr. COHN. You refuse to answer?

Mr. BORTZ. That is right.

Mr. COHN. Were you the one assigned to carry out the liquidation?

Mr. BORTZ. Same answer.

Mr. COHN. You refuse?

Mr. BORTZ. Yes.

The CHAIRMAN. Did I understand you to tell us you refuse to answer the question of whether or not you were assigned the job of murdering McCarthy because if you told the truth that answer might tend to incriminate you?

Mr. BORTZ. Yes, sir. I can't answer that on the basis that it would be self-incriminating.

The CHAIRMAN. Do I understand your testimony that if you told us the truth as to whether you were assigned the job of murdering McCarthy, that answer would tend to incriminate you?

Mr. BORTZ. It would be self-incriminating to answer that question.

The CHAIRMAN. You mean that if you told the truth it would tend to incriminate you?

Mr. BORTZ. I refuse to answer on the basis that it would be self-incriminating.

The CHAIRMAN. You are ordered to answer the question. You are not ordered to answer whether or not you were assigned the job of murdering McCarthy. You are ordered to answer whether you feel a truthful answer would tend to incriminate you.

Mr. BORTZ. I can't answer on the basis of self-incriminating.

The CHAIRMAN. You can't answer on the basis of self-incrimination. You are ordered to answer. If you don't, I will ask the committee to immediately hold you in contempt.

Mr. BORTZ. I don't get your point.

The CHAIRMAN. You were ordered to answer and if you refuse to answer, I shall ask the committee to hold you in contempt immediately.

Mr. BORTZ. Suppose it would be self-incriminating to answer the question.

The CHAIRMAN. Answer the question.

Well, let me go over this carefully with you. You are entitled to refuse to answer any question if you honestly feel that a truthful answer would tend to incriminate you. Now, you have been asked whether or not you were assigned the job of murdering McCarthy. I have now asked you whether or not you feel that a truthful answer to that question would tend to incriminate you. You were ordered to answer whether or not you feel that a truthful answer to that question might tend to incriminate you. If you feel that a truthful answer to that question might tend to incriminate you, then you are entitled to refuse to answer it.

Mr. BORTZ. I can't understand that question.

The CHAIRMAN. I will start all over. Do you think a truthful answer as to whether or not you were assigned the job of murdering McCarthy would tend to incriminate you?

Mr. BORTZ. To be ordered to make the statement. I don't actually understand your point.

The CHAIRMAN. Will you listen slowly. If you were to tell us the truth about whether or not you were assigned the job of murdering McCarthy that that truthful answer would tend to incriminate you?

Mr. BORTZ. That is a funny question. I don't get the point.

The CHAIRMAN. You are ordered to answer it.

Mr. BORTZ. I can't answer it without understanding it fully. If I had an attorney to advise me on that, it would be another question.

The CHAIRMAN. You have had a chance to have an attorney here. You are ordered to answer. If you refuse to answer, we will ask the committee to hold you in contempt.

Mr. BORTZ. How could you hold me in contempt when I have the right to base it on the grounds that it is self-incriminatory—incriminating?

The CHAIRMAN. You have heard the order.

Mr. BORTZ. I don't know whether I should answer or what I should do. You won't give me a chance.

The CHAIRMAN. You are ordered to answer.

Mr. BORTZ. You put the question before as just like hitting me over the head, to be frank and honest about it, gentlemen.

The CHAIRMAN. Take your time and decide whether you are going to answer or not.

Mr. BORTZ. I don't understand the question. I know one thing. I didn't kill McCarthy, I didn't advocate it and probably never will and all that, but that makes no sense. Why a question like that?

The CHAIRMAN. You are ordered to answer the question.

Mr. BORTZ. Will you repeat that again, please?

The CHAIRMAN. Do you feel that if you were to tell us the truth about whether or not you were assigned the job of liquidating or murdering McCarthy that that answer might tend to incriminate you?

Mr. BORTZ. I can't answer that on the basis that it would be self-incriminatory—incriminating, or whatever you call it.

May I ask a question?

The CHAIRMAN. Go ahead.

Mr. BORTZ. What do you mean by contempt? What is meant by contempt?

The CHAIRMAN. It means you are found legally in contempt of the committee by which you can be jailed.

Mr. BORTZ. Suppose I can't answer the question until I had advice from an attorney. Couldn't you give me that chance?

The CHAIRMAN. We heard you.

Mr. BORTZ. I don't know. There is something fishy about this.

Mr. COHN. Were you in Pittsburgh on December 4, 1952?

Mr. BORTZ. I refuse to answer on the grounds that it may incriminate me.

The CHAIRMAN. You are ordered to answer. It is not incriminating to be in Pittsburgh.

Mr. BORTZ. You don't give a man a chance.

The CHAIRMAN. I may say, Mr. Bortz, as far as I am concerned, you can pile up as many contempt charges against yourself as you care to. Go right ahead. I am going to order you to answer. When you refuse, I am going to ask the committee to hold you in contempt on each count.

Do you refuse to tell the committee whether you were in Pittsburgh on December 4, 1952?

Mr. BORTZ. I don't even know. It might have been a Sunday and I might have been out. I don't know.

Mr. COHN. On December 4, 1952, in Pittsburgh, is it not a fact you attended this Communist party meeting I referred to held in the Civil Rights Congress Hall in Pittsburgh?

Mr. BORTZ. I won't answer things like that on the ground that it would be self-incriminatory. I don't know what you guys have got up your sleeve, but it sounds fishy.

Mr. COHN. Do you know Steve Nelson?

Mr. BORTZ. I refuse to answer that on the grounds that it would incriminate me.

Mr. COHN. Was he present at that meeting?

Mr. BORTZ. I refuse to answer that on the ground that it would incriminate me.

Mr. COHN. Have you served as educational director of the South Side Club of the Communist party?

Mr. BORTZ. I will have to refuse to answer that on the basis it will be self-incriminatory.

The CHAIRMAN. Did you ever get orders from the Communist party to beat up Matt Cvetic?<sup>48</sup>

Mr. BORTZ. I will answer that the same way.

The CHAIRMAN. Refuse to answer?

Mr. BORTZ. Yes.

The CHAIRMAN. Do you feel a truthful answer to that would incriminate you?

Mr. BORTZ. I refuse to answer that on the basis it would incriminate me, sir.

The CHAIRMAN. You are ordered to answer that.

Mr. BORTZ. I don't know what you mean. It seems to be a loaded question. I can't answer without an attorney. I can't answer that.

The CHAIRMAN. Make a note that the witness is again ordered to answer, and I will ask the committee to cite him for contempt on this count also.

Did you and other Communists attempt to beat up Matt Cvetic?

Mr. BORTZ. I refuse to answer that on the same grounds—self-incriminating.

The CHAIRMAN. Do you feel that a truthful answer to that question might tend to incriminate you?

Mr. BORTZ. I can't answer that on the grounds that it would be self-incriminating.

The CHAIRMAN. You are ordered to answer.

Mr. BORTZ. I can't answer that on the grounds of self-incrimination.

The CHAIRMAN. Let the record show the witness was ordered to answer the question. Again we will ask the Committee to cite him for contempt on this answer also.

Did you attend a Communist party meeting at which it was decided that Matt Cvetic should be beaten up?

Mr. BORTZ. That is the same kind of question. There is no difference there. I can't answer that on the grounds it is self-incriminating.

The CHAIRMAN. Do you feel a truthful answer might tend to incriminate you?

Mr. BORTZ. I can't see your point.

The CHAIRMAN. I will explain it to you again.

You cannot refuse to answer on the ground that a lying answer would tend to incriminate you. You can only refuse to answer if you feel a truthful answer would tend to incriminate you. Before I decided whether you are entitled to refuse to answer, I must know whether you feel a truthful answer might tend to incriminate you. That is the question I asked you.

Do you feel a truthful answer might tend to incriminate you?

<sup>48</sup>Matt Cvetic (1909–1962) had infiltrated the Communist party in Pittsburgh and provided information to the FBI from 1941 to 1950. He was the subject of the 1951 motion picture, *I Was a Communist for the FBI*.

Mr. BORTZ. I gave the truthful answer that it would be self-incriminating. That is the truthful answer. I don't say the truth would be self-incriminating.

The CHAIRMAN. Do you feel that a truthful answer—In other words, if you were to tell us the truth, do you think that might tend to incriminate you?

Mr. BORTZ. Sometimes you have a fact turned around and twist it in your direction. I don't know.

The CHAIRMAN. I am just giving you a chance to take advantage of your privilege.

Mr. BORTZ. A truthful answer in the true sense is not self-incriminating. In other words, if you knew the whole background and everything—

The CHAIRMAN. You are entitled to tell us the background.

Mr. BORTZ. It would be self-incriminating to give you the background. I must tell you that.

The CHAIRMAN. Is it your answer that you feel a truthful answer to this question might tend to incriminate you?

Mr. BORTZ. That question doesn't make any sense to me. I need an attorney for that. I don't know.

The CHAIRMAN. You are ordered to answer.

Mr. BORTZ. I don't know.

The CHAIRMAN. Then if you don't feel it would tend to incriminate you, you are ordered to answer the original question.

Mr. BORTZ. What is the original question?

The CHAIRMAN. Whether or not you attended a meeting at which it was decided Matt Cvetic would be beaten up.

Mr. BORTZ. That would be self-incriminating.

The CHAIRMAN. Do you feel a truthful answer would be self-incriminating?

Mr. BORTZ. Well, without knowing the background, you can say something and then mean something else. If you give one fact and then not give other facts, then it is misleading.

The CHAIRMAN. Are you going to answer the question? You have been ordered to answer.

Mr. BORTZ. I will answer if all the facts are there the truth would be a "yes" answer.

The CHAIRMAN. By a "yes" answer, you mean it would tend to incriminate you?

Mr. BORTZ. That is right. A complete truthful answer would not incriminate anyone.

The CHAIRMAN. All right then, you are ordered to answer.

Mr. BORTZ. Well, that would be self-incriminating to answer it. It might sound funny to you guys.

Mr. COHN. Let's see how intelligent you are. Isn't it a fact you conducted Marxist educational classes in your home?

Mr. BORTZ. I refuse to answer that question.

Mr. COHN. Isn't it a fact that you have been a teacher for the Communist party teaching complicated courses in the Marxist theory and practice for a period of five years?

Mr. BORTZ. I can't answer that on the basis that it is self-incriminating.

The CHAIRMAN. Do you feel that a truthful answer would tend to incriminate you?

Mr. BORTZ. Pile it on.

The CHAIRMAN. Do you feel a truthful answer would tend to incriminate you?

Mr. BORTZ. I can't answer that question. It is self-incriminating to answer that question.

The CHAIRMAN. The reporter will note that he has refused to answer and that we will ask the committee to cite him for contempt for refusal.

Mr. BORTZ. Isn't that something asking for an opinion? I am not ready to give my opinion.

The CHAIRMAN. Have you been section organizer of district number five for the Communist party?

Mr. BORTZ. I can't answer that on the grounds that it may be self-incriminating.

The CHAIRMAN. Do you feel that a truthful answer would incriminate you?

Mr. BORTZ. I can't give you my opinion on it. I don't know.

The CHAIRMAN. You are ordered to answer.

Mr. BORTZ. I don't know.

The CHAIRMAN. Then if you don't know, do you feel that it might tend to incriminate you—a truthful answer?

Mr. BORTZ. Same question. I don't got the point,

The CHAIRMAN. You are ordered to answer the question.

Mr. BORTZ. I can't give you my opinion. I don't know.

The CHAIRMAN. Then you are ordered to answer the question asked by counsel.

Just so the record will be clear so you won't be able to use this in defense, you are again informed you can refuse to answer any question if you feel a truthful answer might tend to incriminate you. You have been refusing to answer certain questions. I then asked you the simple question: "Do you feel a truthful answer might tend to incriminate you?" You refused to answer. I have been ordering you to answer that simple question. We are making note of the times you refused. We will ask the committee to cite you for contempt.

Mr. BORTZ. There is nothing I can do except say I don't know. I don't know what you mean by it. I don't understand your point. I don't know whether it is incriminating as or not.

The CHAIRMAN. Do you know what the truth is?

Mr. BORTZ. I sure do.

The CHAIRMAN. Do you know what incriminating yourself means?

Mr. BORTZ. Yes, I have some idea. I probably couldn't give you too technical an explanation.

The CHAIRMAN. Then you are asked whether you think a truthful answer to the question might tend to incriminate you. Do you refuse to answer that?

Mr. BORTZ. I don't know whether I should answer a question like that. If it is self-incriminating I can't answer that.

The CHAIRMAN. We will give you as much time as you want to decide. Let us know whether or not you decide to answer the question when you have decided?

Mr. BORTZ. I can't decide. I don't know what the whole thing is about.

The CHAIRMAN. Are you going to answer?

Mr. BORTZ. I don't know. I would like to answer it.

The CHAIRMAN. I will give you a full minute to answer it. We are not going to sit here all day. I will give you a full minute to answer.

The reporter will let the record show we have waited over a minute for the witness to answer and he sat mute after he had been ordered to answer, and again have the record show that we will ask the full Committee to cite him for contempt.

Mr. COHN. In 1941 were you a member of the Communist party—functionary of the party in Cleveland, Ohio?

Mr. BORTZ. That would be self-incriminating to answer that question, a question like that.

Mr. COHN. From 1945 until the present date, have you been on the orders of the Communist party, every activity?

Mr. BORTZ. That would be self-incriminating in that same sense.

Mr. SURINE. Mr. Bortz, in 1948, were you present when you and others were given Communist party orders to photograph Pittsburgh?

Mr. BORTZ. What?

Mr. SURINE. In 1948, were you present at any meeting with other Communists at which time orders were issued to photograph parts of Pittsburgh?

Mr. BORTZ. That would be self-incriminating. That is the same type question.

Mr. SURINE. Did you take part in photographing any facilities in Pittsburgh?

Mr. BORTZ. That would be self-incriminating.

Mr. SURINE. Did you have at that time phony letterheads and credentials?

Mr. BORTZ. That would be self-incriminating.

Mr. SURINE. In 1948 did you take a trip to Anchorage, Alaska?

Mr. BORTZ. I can't make answers like that. It would be the same kind of question and the same kind of answer.

Mr. SURINE. I am asking you, Mr. Bortz, did you take a trip to Anchorage, Alaska, in 1948?

Mr. BORTZ. I really don't know why you ask me these questions. Still as long as you keep asking questions like this and have something behind it—

Mr. SURINE. Do you honestly believe if you told us you took a trip to Anchorage, Alaska, it might tend to incriminate you?

Mr. BORTZ. Yes, whether I was there or wasn't there.

Mr. SURINE. Do you honestly feel if you told the committee you took a trip to Anchorage, Alaska, it might tend to incriminate you?

Mr. BORTZ. Perhaps.

Mr. SURINE. Did you enlist in the army in 1942?

Mr. BORTZ. That is a matter of record. Volunteered.

Mr. SURINE. And did you so enlist under instructions from the Communist party?

Mr. BORTZ. I refuse to answer that on the grounds that it is self-incriminating,

Mr. SURINE. You refuse to answer that question on the grounds that you honestly feel a truthful answer might tend to incriminate you?

Mr. BORTZ. What do you mean by a truthful answer?

The CHAIRMAN. Don't you know what is meant by a truthful answer?

Mr. BORTZ. Well, you mean to give facts to a thing. It means telling the truth.

The CHAIRMAN. Do you know what it means to tell the truth?

Mr. BORTZ. I certainly do.

The CHAIRMAN. All right. Answer counsel's question.

Mr. SURINE. Are you going to answer that question?

The CHAIRMAN. He is ordered to answer.

Mr. SURINE. The question is: Do you honestly feel the answer to my previous question might tend to incriminate you?

Mr. BORTZ. Yes.

Mr. SURINE. In 1937 and 1938, did you travel to Spain?

Mr. BORTZ. That question would be incriminating too.

Mr. SURINE. You refuse to answer.

Mr. COHN. Will you step out in the hall for just a minute?

[The witness returned to the room.]

Mr. SURINE. Mr. Bortz, the last question I asked you was whether or not in 1937 and 1938 you were in Spain. What was your answer? Will you answer that question?

Mr. BORTZ. I can't answer that on the grounds it is self-incriminating.

Mr. SURINE. Are you a member of the Cleveland Post of the Veterans of the Abraham Lincoln Brigade?

Mr. BORTZ. I can't answer that on the grounds it is self incriminating.

Mr. SURINE. On both of those questions do you honestly feel a truthful answer might tend to incriminate you?

Mr. BORTZ. That is one of those same old questions.

Mr. SURINE. Your answer is "yes"? That it would be self-incriminating if you answered the question honestly?

Mr. BORTZ. Well, eventually, if it had to come out—if you had to tell the truth, it would not be.

The CHAIRMAN. You are ordered to answer that. You told us if you told the truth it would not incriminate you. Therefore, you are ordered to answer.

Mr. BORTZ. Do whatever you want, guys.

The CHAIRMAN. Let the record show the witness sits mute and refuses to answer after he has been ordered to answer. Will you note that he is sitting mute and refusing to answer after having stated that a truthful answer would not tend to incriminate him, and the committee will be asked to cite him for contempt.

Mr. SURINE. Do you know Tony Nuss?

Mr. BORTZ. A question like that is still self-incriminating and I couldn't answer it.

Mr. SURINE. Is she a member of the Communist party?

Mr. BORTZ. There is something wrong with you people. I don't know. Well, it is self-incriminating. I cannot answer.

The CHAIRMAN. Do you feel if you gave a truthful answer to that question it might tend to incriminate you?

Mr. BORTZ. Perhaps. I don't know. It depends on what you fellows have rigged up.

The CHAIRMAN. The question is: Do you think a truthful answer might tend to incriminate you?

Mr. BORTZ. On the basis of honesty, it would not incriminate me. Only on the basis of honesty and the right kind of handling.

The CHAIRMAN. You are ordered to answer.

Let the record show that the witness stated that on the basis of an honest answer, he would not be incriminated in his opinion. He was, therefore, ordered to answer. He sits mute after being ordered to answer. Let the record show that he is in contempt in the opinion of the chair and the committee will be asked to cite him for contempt.

Mr. SURINE. When did you leave to go to New York City within the last twenty-four hours?

Mr. BORTZ. Butler or Pittsburgh?

Mr. SURINE. The date and time you left to go to New York City?

Mr. BORTZ. Well, that would be either from Butler or from Pittsburgh. I left sometime in the evening. Around eight o'clock or seven o'clock.

Mr. SURINE. You knew by that time you were not to go to New York City because you had received the telegram?

Mr. BORTZ. Here I had two contradictory things. A telegram is not a subpoena.

Mr. SURINE. Your attorney, Mr. Schlesinger, got a telegram that you were to report directly to Washington. Did he advise you that he had received that telegram?

Mr. BORTZ. That is right.

Mr. SURINE. Did he tell you also I had advised him orally by phone of that information?

Mr. BORTZ. That is right.

Mr. SURINE. Then why did you go to New York City after you knew you were not to report there?

Mr. BORTZ. I thought I would go to the court house and see if everything was all right. In this case it wasn't a subpoena. The subpoena read to New York.

Mr. SURINE. Who did you see in New York?

Mr. BORTZ. No one except asking someone around the court house questions.

Mr. SURINE. Who did you ask around the court house?

Mr. BORTZ. Someone in there.

Mr. SURINE. What did you ask them?

Mr. BORTZ. If Joe McCarthy's committee was there. He said, "No, I think they are in Washington."

Mr. SURINE. When was this?

Mr. BORTZ. It must have been around 8:30 in the morning. No, it was later. About nine o'clock.

Mr. SURINE. Where did you stay last night?

Mr. BORTZ. I have the receipt here. Hotel York. That is on 7th Avenue and 35th Street.

Mr. SURINE. And did you meet any members of the Communist party while you were in New York last night or this morning?

Mr. BORTZ. Unless this man was a member. I don't know. I have no way of telling who is a member and who isn't. A question like that would be someone I don't know.

Mr. SURINE. Did you meet anyone last night or this morning in New York whom you knew or thought was a member of the Communist party?

Mr. BORTZ. No.

Mr. SURINE. Did you contact a lawyer in New York?

Mr. BORTZ. No.

Mr. SURINE. Did you make any long-distance phone calls from New York?

Mr. BORTZ. No.

Mr. SURINE. Did you phone Mr. Schlesinger?

Mr. BORTZ. No.

Mr. SURINE. Did Mr. Schlesinger advise you not to answer certain questions when you appeared today?

Mr. BORTZ. He left it up to me. He didn't want to handle the case.

Mr. SURINE. Did he advise you not to answer questions about your Communist background?

Mr. BORTZ. He said, "If you don't want to answer, you don't have to answer under the Fifth Amendment to the Constitution."

Mr. SURINE. He told you if you didn't want to answer you could refuse under your rights of the Fifth Amendment?

Mr. BORTZ. That in right,

The CHAIRMAN. Do you think the Communist system is better than ours?

Mr. BORTZ. You are asking me for an opinion. I can't give you my opinion. I don't know. There is no way of telling. Besides that is self-incriminating in itself. I can't answer it, because so many views of people on what communism is. Because if I were to say it, you would say either that guy is a Communist who answers me or I am a Communist who answers him. It doesn't make any sense.

The CHAIRMAN. Are you refusing to answer?

Mr. BORTZ. I can't answer. I don't know what you mean by communism.

The CHAIRMAN. Have you ever taught communism?

Mr. BORTZ. No.

The CHAIRMAN. Your answer is "no?"

Mr. BORTZ. [Shakes head negatively.]

The CHAIRMAN. You have never taught Communist classes?

Mr. BORTZ. What do you mean? I never taught Communist classes.

The CHAIRMAN. Did you ever teach what you thought was communism?

Mr. BORTZ. No.

The CHAIRMAN. You never taught classes in communism?

Mr. BORTZ. No.

The CHAIRMAN. Did you ever teach classes in Marxism?

Mr. BORTZ. I refuse to answer any of those questions on the basis it is definitely self-incriminating.

The CHAIRMAN. You have answered those others.

Mr. BORTZ. It is the same thing over and over. It doesn't make any sense.

The CHAIRMAN. Are you refusing to answer on the grounds it doesn't make any sense?

Mr. BORTZ. On the grounds it may be incriminating to me.

Mr. SURINE. Did you live in Cleveland, Ohio?

Mr. BORTZ. That would be self-incriminating if I don't have an attorney.

Mr. SURINE. Where were you living in 1940?

Mr. BORTZ. That would be self-incriminating. All these questions, I can't see any other way. I refuse to answer that.

Mr. SURINE. Do you know Andrew Onda?

Mr. BORTZ. I refuse to answer that on the ground it is self-incriminating.

Mr. SURINE. Do you know John Williamson?

Mr. BORTZ. Same thing. I can't answer on the ground it is self-incriminating.

Mr. SURINE. Do you know William Z. Foster?

Mr. BORTZ. Self-incrimination. I can't answer that.

Mr. SURINE. Forgetting about the Cvetic case for the time being and forgetting about December 4th meeting, were you ever instructed or requested by members of the Communist party to use physical violence against any individual?

Mr. BORTZ. That is self-incriminating.

Mr. SURINE. You refuse to answer that?

Mr. BORTZ. [Shakes head negatively.]

Mr. SURINE. Do you feel a truthful answer might tend to incriminate you?

Mr. BORTZ. In some cases, "yes," the same thing,

Mr. SURINE. Do you feel a truthful answer might tend to incriminate you?

Mr. BORTZ. On this case, "yes."

The CHAIRMAN. Then you are entitled to refuse then.

Mr. SURINE. Did you join the National Guard?

Mr. BORTZ. That question is self-incriminating.

The CHAIRMAN. You are ordered to answer that question.

Mr. BORTZ. I can't answer. That question itself is self-incriminating,

The CHAIRMAN. Will you have the record show that the witness was asked whether he joined the National Guard, and that obviously it is not incriminating to join the National Guard, and he has refused to answer. The chair has decided that is abuse of the privilege. He has been ordered to answer and he still refuses. The record should note that in the opinion of the chair, he is in contempt and the committee will be asked to hold him in contempt.

Mr. SURINE. When did you move to Pittsburgh?

Mr. BORTZ. [No answer.]

The CHAIRMAN. Will you have the record show the witness was ordered to answer that question and that in the opinion of the chair, the witness is in contempt and the committee will be asked—

Mr. BORTZ. I will answer that. I am just thinking of the time. I was going to answer that.

The CHAIRMAN. Strike that, Reporter.

Mr. BORTZ. I just don't exactly remember the time but I think the whole thing is self-incriminating anyhow. I can't answer it.

The CHAIRMAN. When you moved to Pittsburgh did you join the South Side Club of the Communist party, district number five?

Mr. BORTZ. That is self-incriminating. I can't answer that.

The CHAIRMAN. Were you the educational director for this Communist party club?

Mr. BORTZ. Self-incriminating, same thing.

The CHAIRMAN. Were you chairman of this Communist party group?

Mr. BORTZ. Self-incriminating. That question I can't answer it.

The CHAIRMAN. Were you a delegate to the First Annual National Communist Veterans Encampment held in Washington, D.C.?

Mr. BORTZ. That is an incriminating question. I can't answer it.

The CHAIRMAN. Do you hold Communist party meetings in your residence?

Mr. BORTZ. Self-incriminating, that question. I can't answer it.

The CHAIRMAN. Did you circulate the *Worker* and the *Daily Worker*?

Mr. BORTZ. That is self-incriminating, that question too. I can't answer it,

The CHAIRMAN. Were you a Communist party organizer?

Mr. BORTZ. That is a self-incriminating question. I can't answer it.

The CHAIRMAN. Were you treasurer of the Civil Rights Congress in Pittsburgh?

Mr. BORTZ. That is the same kind of question. I can't answer it. It is self-incriminating.

Mr. COHN. You refuse to answer.

Mr. BORTZ. I can't answer on the basis I shouldn't.

The CHAIRMAN. Do you refuse to answer?

Mr. BORTZ. I refuse to answer.

The CHAIRMAN. When you are saying you can't answer, you refuse to answer?

Mr. BORTZ. Yes, on the grounds that it is self-incriminating to me.

The CHAIRMAN. Were you active in behalf of Communist party leaders?

Mr. BORTZ. I won't answer that on the grounds it is self-incriminating.

The CHAIRMAN. What is your father's first name?

Mr. BORTZ. Samuel.

The CHAIRMAN. And your Mother's first name?

Mr. BORTZ. Ethel.

The CHAIRMAN. Ethel Balanoff Bortz?

Mr. BORTZ. I think it was Lynn. I think she was half-sister. She is dead now. I know her brother's name was Balanoff.

The CHAIRMAN. Your wife's first name is Ida?

Mr. BORTZ. That is right.

The CHAIRMAN. Her last name is Rosen?

Mr. BORTZ. Yes. Maiden name.

The CHAIRMAN. Was she a member of the Communist party?

Mr. BORTZ. A question like that is self-incriminating and I refuse to answer it.

The CHAIRMAN. You were divorced from your wife?

Mr. BORTZ. That is right.

The CHAIRMAN. Were you ever married to a woman whose first name is Marie? M-a-r-i-e?

Mr. BORTZ. Was? I am. I am married to Marie.  
 The CHAIRMAN. Her maiden name was Mazza?  
 Mr. BORTZ. No.  
 The CHAIRMAN. What was her maiden name?  
 Mr. BORTZ. It wasn't Mazza anyhow.  
 The CHAIRMAN. What was her maiden name?  
 Mr. BORTZ. Gratta. Two "t's."  
 The CHAIRMAN. Where were you married?  
 Mr. BORTZ. Portage, Pennsylvania. The county seat is Greensburg. It is the county seat of Portage County.  
 The CHAIRMAN. What State?  
 Mr. BORTZ. Pennsylvania.  
 The CHAIRMAN. You were married in Portage County.  
 Mr. BORTZ. That is Portage County, Pennsylvania.  
 The CHAIRMAN. When were you actually married in Portage? Is Portage the name of a city?  
 Mr. BORTZ. Yes.  
 The CHAIRMAN. Do you remember the date you were married?  
 Mr. BORTZ. March 15, 1952.  
 The CHAIRMAN. Is your present wife a member of the Communist party?  
 Mr. BORTZ. I can't answer. I refuse to answer that on the basis of self-incrimination.  
 The CHAIRMAN. You refuse to answer?  
 Mr. BORTZ. That is right.  
 The CHAIRMAN. Do you know a Marie Mazza?  
 Mr. BORTZ. That was her first husband's name and she has been divorced for about, maybe, ten years. I don't know the exact figure.  
 The CHAIRMAN. You say that is her first husband's name? You mean your present wife's first husband's name?  
 Mr. BORTZ. Yes.  
 The CHAIRMAN. Do you know a woman who is known as the "Red Queen"?  
 Mr. BORTZ. Do you mean if I have read about her?  
 The CHAIRMAN. Do you personally know a woman referred to as the "Red Queen"?  
 Mr. BORTZ. I refuse to answer that on the grounds it is self-incriminating.  
 The CHAIRMAN. Did you live with the "Red Queen"?  
 Mr. BORTZ. I refuse to answer that on the grounds it is self-incriminating.  
 The CHAIRMAN. Was the "Red Queen" an espionage agent?  
 Mr. BORTZ. I refuse to answer on the grounds that it is self-incriminating.  
 The CHAIRMAN. Do you know a woman by the name of Tony Nuss?  
 Mr. BORTZ. I refuse to answer that on the grounds it is self-incriminating.  
 The CHAIRMAN. Was Tony Russ and the "Red Queen" one and the same person?  
 Mr. BORTZ. I refuse to answer that on the grounds it is self-incriminating.  
 The CHAIRMAN. Have you ever lived with Tony Nuss?

Mr. BORTZ. I refuse to answer that on the grounds it is self-incriminating.

Mr. SURINE. Mr. Bortz, do you know Rebecca Bortz?

Mr. BORTZ. That is my sister.

Mr. SURINE. Do you know Benjamin Bortz?

Mr. BORTZ. Yes, that is my brother. That is, he died in service during the war. He is dead now.

Mr. SURINE. Is Rebecca living?

Mr. BORTZ. Sure.

Mr. SURINE. Is she a member of the Communist party?

Mr. BORTZ. What do you mean by that? It is my sister. She is my sister.

Mr. SURINE. Do you know whether she is a member of the Communist party?

Mr. BORTZ. That would be self-incriminating.

Mr. SURINE. Were you ever a labor organizer?

Mr. BORTZ. I refuse to answer that on the grounds it is self-incriminating.

Mr. SURINE. Did you ever operate, as co-owner, the Lake View Service Center at Lake View, Ohio?

Mr. BORTZ. I refuse to answer that on the grounds it is self-incriminating.

Mr. SURINE. Were you employed in the army as a wire man?

Mr. BORTZ. Self-Incriminating. I can't answer that.

Mr. SURINE. For how many years have you known Steve Nelson?

Mr. BORTZ. On the grounds that it is self-incriminating, I won't answer that.

Mr. SURINE. Were you ever a member of an organization called the Young Fraternalist?

Mr. BORTZ. On the grounds that it is self-incriminating. Same thing. I can't answer that.

Mr. SURINE. Do you know a man by the name of Edward Lamb?

Mr. BORTZ. That would be self-incriminating. I don't want to answer that.

Mr. SURINE. You refuse to answer that question on the grounds of self-incrimination?

Mr. BORTZ. It would be incriminating.

Mr. SURINE. Did you ever in your position have letterheads from some Hollywood Studio during the year of 1948?

Mr. BORTZ. That would be self-incriminating. I won't answer that on the grounds it is self-incriminating.

Mr. SURINE. Have you ever carried any papers or documents or credentials falsely showing your employment or your name?

Mr. BORTZ. No.

Mr. SURINE. Your answer is "no"?

Mr. BORTZ. That is right.

The CHAIRMAN. You will be ordered to be here at 9:00 tomorrow morning.

Mr. BORTZ. Will it be all right to bring an attorney? I imagine it would be.

The CHAIRMAN. You can bring an attorney.

Mr. BORTZ. Nine o'clock?

The CHAIRMAN. Nine-thirty.

[Whereupon the hearing adjourned.]

## COMMUNIST PARTY ACTIVITIES, WESTERN PENNSYLVANIA

THURSDAY, JUNE 18, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 9:30 a.m., in the office of Senator Karl Mundt, Senate Office Building, Senator Mundt presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator John L. McCellan, Democrat, Arkansas; Senator Stuart Symington, Democrat, Missouri.

Present also: Roy M. Cohn, chief counsel; Donald A. Surine, assistant counsel; Ruth Young Watt, chief clerk.

### TESTIMONY OF LOUIS BORTZ (ACCOMPANIED BY HIS COUNSEL, HARRY I. RAND)

Senator MUNDT. What is the attorney's name?

Mr. RAND. My name is Harry I. Rand. My address is the Wyatt Building, Washington 5, D.C.

If I may, I should like the record to show I was retained by Mr. Bortz at 8:00 p.m. last night; that I had not received any communication from him prior to that time, had not advised or consulted with him. Mr. Bortz tells me there were some instances yesterday when it was suggested that he may have been contemptuous in some instances in his conduct before the committee in session yesterday. Mr. Bortz has tried to recapitulate that session, but has been unable to. Therefore, I respectfully request that a transcript of the hearing yesterday be made available to me so I can advise him and if he has been contemptuous—

Senator MUNDT. He will be examined in open session and any contempt action will flow from open session and you will be, therefore, advised.

Mr. Cohn, do you want to ask Mr. Bortz some questions?

Mr. COHN. To go over a couple of the main points covered yesterday, will you tell us whether or not you are a member of the Communist party?

Mr. BORTZ. I will have to tell you the same thing as yesterday.

Senator MUNDT. Some of us were not there yesterday, so you will have to start out anew.

Mr. BORTZ. I decline to answer on the rights of the Fifth Amendment, which gives me the right to not incriminate myself.

Mr. COHN. Were you present at the Communist party meeting in Pittsburgh, Pennsylvania, at the Civil Rights Congress Hall approximately December 4, 1952?

Mr. BORTZ. That is the same answer, that I have got to decline to answer on the ground that it may be self-incriminating.

Mr. COHN. During that meeting and after that meeting did you state to those in attendance and to several persons outside you had gotten the assignment from the party of liquidating Senator McCarthy?

Mr. BORTZ. I must decline to answer that under the same grounds.

Senator MUNDT. Under the Fifth Amendment?

Senator MCCARTHY. I think the chairman should instruct the witness he has that right.

Senator MUNDT. Do you feel if you answer that question truthfully you might incriminate yourself?

Mr. BORTZ. Yes.

Senator DIRKSEN. You do know what the word "liquidate" means?

Mr. BORTZ. Probably your explanation will help.

Mr. COHN. Give us your definition.

Mr. BORTZ. Liquidation probably means to do away with someone or eliminate someone, I would say.

Senator SYMINGTON. Put it in the waste paper basket?

Mr. BORTZ. Not much on that ground but something like that.

Senator SYMINGTON. In other words, liquidation would be to destroy, murder, or assassinate?

Senator McCLELLAN. In what sense is the word used in the Communist party? You know that, don't you?

Mr. BORTZ. I don't know off-hand.

Senator McCLELLAN. Haven't you heard the word used in Communist meetings?

Mr. BORTZ. I decline to answer that question.

Senator McCLELLAN. You are familiar with the use of the word? You have heard it before, haven't you?

Mr. BORTZ. Yes, I have heard it before.

Senator McCLELLAN. You know what it means, then?

Senator MUNDT. Where is your home, Mr. Bortz?

Mr. BORTZ. R.D. 6, Butler, Pennsylvania.

Senator MUNDT. What is your means of livelihood?

Mr. BORTZ. Well, freelancing for electrical appliance work.

Senator MUNDT. You mean you are a freelance writer?

Mr. BORTZ. No. Electrical work. I just take up jobs on my own.

Senator MUNDT. You have no regular employment?

Mr. BORTZ. No.

Mr. COHN. Are you a paid functionary of the Communist party at this time?

Mr. BORTZ. I must decline to answer that on the grounds of the Fifth Amendment.

Senator SYMINGTON. Have you ever hurt anybody in a fight of any kind?

Mr. BORTZ. I will have to answer that the same way.

Senator SYMINGTON. What was that?

Mr. BORTZ. By declining to answer on the ground I may incriminate myself.

Senator SYMINGTON. Have you ever been arrested for a crime?

Mr. BORTZ. No.

Senator SYMINGTON. Never have been?

Mr. BORTZ. No.

Senator SYMINGTON. Have you ever taken money in order to attack anybody on a strike—to be a strike breaker, for or against a strike breaker?

Mr. BORTZ. I decline to answer that on the same grounds.

Senator DIRKSEN. Mr. Bortz, how old are you?

Mr. BORTZ. Forty-two.

Senator DIRKSEN. You have a family?

Mr. BORTZ. Yes.

Senator DIRKSEN. Consisting of what?

Mr. BORTZ. I have got two younger boys.

Senator DIRKSEN. And your wife?

Mr. BORTZ. My wife.

Senator DIRKSEN. And you live at RFD 6, Butler, Pennsylvania?

Mr. BORTZ. Yes.

Senator DIRKSEN. When you said freelancing in the electrical appliance business, do you mean salesman or contract work?

Mr. BORTZ. In service work.

Senator DIRKSEN. Explain that a little more.

Mr. BORTZ. If anyone tells me they have got a washing machine bad—to repair—they bring it out to my home or I go out to theirs.

Senator MUNDT. Have you a business of your own?

Mr. BORTZ. I am trying to start one.

Senator DIRKSEN. Do you have to carry a card for that kind of work?

Mr. BORTZ. No, I may have to if things work out. What I figure is to get a name and advertise as such and register in Pennsylvania, but I don't know yet.

Senator DIRKSEN. I just assume in electrical appliances you have to have some experience in that field. Then, secondly, there may be a requirement that you carry a union card. Are you a member of the Electrical Workers Union?

Mr. BORTZ. No, sir.

Senator DIRKSEN. Never have been?

Mr. BORTZ. No, sir.

Mr. COHN. Let me ask you this: Did you, as a Communist party assignment, receive one time an assignment of beating up Matt Cvetic?

Mr. BORTZ. I must decline to answer that on the ground that it may incriminate me.

Mr. COHN. Do you know how to shoot a gun?

Mr. BORTZ. I think I must decline to answer.

Senator MUNDT. Were you born in this country?

Mr. BORTZ. Yes.

Senator MUNDT. Where?

Mr. BORTZ. Hartford, Connecticut.

Senator MUNDT. Give me a quick run-down on your career until we find you now in Pittsburgh. You went to school, I presume.

Mr. RAND. What was that?

Senator MUNDT. A quick run-down on his career, where he went to school; how he earns his living, etc.

Senator MCCARTHY. You can answer that question upstairs.  
[Whereupon the hearing adjourned.]

## SPECIAL MEETING

[EDITOR'S NOTE.—During the spring of 1953, several members of the subcommittee staff departed after encountering difficulties in working with chief counsel Roy Cohn. "Everything was in shambles . . . as far as staff was concerned," chief clerk Ruth Young Watt later recalled, "because everybody was at cross-purposes." On June 18, 1953, Senator McCarthy announced the appointment of J. B. Matthews as the new staff director. A former Methodist minister and Marxist turned anti-Communist, Matthews had previously served as staff director of the House Un-American Activities Committee. Matthews had a reputation as an able administrator, but the chairman had failed to consult with minority party senators on the subcommittee before making the selection, at a time when committee staffs were considered to be nonpartisan professionals who worked for both the majority and minority. Displeasure mounted when Matthews's article "Reds and Our Churches" appeared in the July issue of *American Mercury*, asserting that "The largest single group supporting the Communist apparatus in the United States is composed of Protestant clergymen."

The three Democratic senators on the subcommittee met privately with the chairman to demand Matthews' removal. Members of the subcommittee met again on the afternoon of July 7, at which time Republican Senator Charles Potter joined the Democrats in insisting on a change in staff directors. Senator McCarthy refused to fire Matthews or accept his resignation, and that meeting ended with no resolution of the issue. The following day, the Democratic senators announced their intention to protest to the full Committee on Government Operations. Republican senators on the subcommittee then drafted a compromise to preserve the chairman's exclusive right to appoint subcommittee staff while at the same time replacing Matthews as staff director. Senator McCarthy announced Matthews' resignation on July 9. However, Democrats on the subcommittee objected to his assertion of exclusive power to appoint staff, and demanded authority to hire a minority counsel. Denied their request, the three Democratic senators resigned from the subcommittee and did not attend its meetings for the rest of the year. In January 1954, they returned to the subcommittee, having been permitted to hire Robert F. Kennedy as the minority counsel.]

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FRIDAY, JULY 10, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953) at 10:30 a.m., room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota; Senator Charles E. Potter, Republican, Michigan; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; Senator Stuart Symington, Democrat, Washington.

Present also: Roy M. Cohn, chief counsel; Donald A. Surine, assistant counsel; Ruth Young Watt, chief clerk.

The CHAIRMAN. The first thing I would like to do—Let me first, if I may, give you a report on the meeting with Dulles.

Senator JACKSON. Allen Dulles.

The CHAIRMAN. Allen Dulles. May I say that yesterday I said we would take up this question of the chairman's power first, but I would like first to give you a report on the conference with Dulles.

I talked to him last night and he suggested holding up calling Bundy and Pforzheimer and he could come over and give us his views on the case. Bundy, as you know, is now the National Security Council's man at the Central Intelligence Agency. He has been recommended, at least they have asked clearance for him to act as liaison between the National Security Council and the Atomic Energy Commission.<sup>49</sup>

The Department of State informed us that some of his books were in the shelves of the IIA [International Information Agency]. I am not sure that is true. There is another Bundy.<sup>50</sup>

Senator JACKSON. His brother it says in the paper this morning.

The CHAIRMAN. They say they are using some of his books. I assume they are not on the shelves as the IIA will be directly responsible to the National Security Council.

Some of the material against him, for example, is that he belonged to organizations listed by not congressional committees, but, by the attorney general as Communist fronts. He contributed to Alger Hiss' defense fund on two different occasions—\$200.00 each. He is not an extremely wealthy man, I understand, so that would be a very sizeable contribution. He gave as his reasons: (1) that it was imperative that Hiss be cleared; (2) he wanted to help out his father-in-law, Dean Acheson; and (3) he wanted to help the Democratic party.

Senator McCLELLAN. Is he now in government service?

The CHAIRMAN. He is working in the Central Intelligence Agency, but he is on the payroll of the National Security Council.

Mr. Cohn called the liaison between the Central Intelligence Agency and the Senate, Mr. Pforzheimer, and asked him to have this man appear and Mr. Pforzheimer said he was not in town. Roy called Bundy and talked to Bundy's secretary. She said Bundy had just gone over to see the counsel for CIA. Pforzheimer called back

<sup>49</sup>William P. Bundy, the son-in-law of former Secretary of State Dean Acheson, had joined the Central Intelligence Agency in 1951. His father, Harvey Bundy, had been vice chairman of the Carnegie Endowment for World Peace when it was headed by Alger Hiss, and had actively solicited funds for Hiss' legal defense. William Bundy had sent two checks to the defense fund for \$200 each, contributions that Bundy reported during his security review for his CIA post. In 1953, he was designated to serve as liaison officer between the National Security Council and the Atomic Energy Commission, work that required that he receive a "Q" clearance. His case file was sent first to the Atomic Energy Commission, chaired by Admiral Lewis Strauss, and then to the FBI. The information soon afterwards reached the subcommittee.

On July 9, Roy Cohn phoned CIA legislative counsel Walter L. Pforzheimer and requested that Bundy testify before the subcommittee that morning because "he is up for a top security clearance and we wonder whether he should be approved." Not wanting Bundy to testify nor to be served with a subpoena, CIA director Allen Dulles ordered that he leave town. Bundy immediately flew to Boston, and the subcommittee was informed that he was "on leave and would not be available." Cohn then subpoenaed Pforzheimer to testify regarding Bundy's sudden departure.

In his book *McCarthy* (New York: New American Library, 1968), Cohn recorded that over the weekend Vice President Nixon met with the Republican members of the subcommittee and persuaded them not to call CIA officials to testify. In return the CIA assured the chairman that it would conduct an internal review of Bundy's background. Bundy returned to Washington that Sunday and never appeared before the subcommittee. Instead he was examined by a loyalty board and given a lie-detector test. He received his "Q" clearance and he remained with the CIA until 1960. Bundy later served as assistant secretary of defense for International Security Affairs and assistant secretary of state for the Far East during the Kennedy and Johnson administrations.

<sup>50</sup>Bundy's brother, McGeorge Bundy, later National Security Advisor to presidents Kennedy and Johnson.

and said Bundy was away on vacation and he didn't know where he was. Roy suggested that it was rather unusual that the Central Intelligence Agency would not know where its top operators were. Pforzheimer said he thought somebody might know, but he didn't have any idea himself.

We asked Pforzheimer to explain—to come over and explain this unusual vacation at three o'clock. He then called at 1:30 and said he would be unable to make the three o'clock meeting.

Roy then talked to Allen Dulles and he took the position that no employees of the CIA could appear before any congressional committee. I thought that was a bit unusual. I feel that if we subpoena undercover agents and they don't want that man exposed, we should go along. If they say here in executive session or open session that calling an employee of the CIA will endanger their operations, I think we should lean over backwards to go along with them. We should not set ourselves up as an authority as to how they should operate, but I take the position that a man known to be working with CIA and who has a record of this kind, must appear if he is subpoenaed. I don't think any bureau should say none of its employees will appear.

Dulles asked us to hold this up. He wanted to come down and give us some new aspects. He was down in my office this morning and there was nothing much new he had to say. I asked him how it would endanger his operations if Bundy were called. He said, "Well, other intelligence agencies in the world would know we were calling his men." He made no claim at all that we were going to endanger his operations or secret information.

We discussed the matter at some length and he took the position that we should not call any of his people; that he is responsible and if he felt he wasn't doing a good job, he should be asked to resign.

Senator McCLELLAN. Is that Secretary Dulles?

The CHAIRMAN. Allen Dulles.

We pointed out to him how ridiculous his stand was—how ridiculous I thought it was.

Incidentally, I asked who sent Bundy out of town. He said he gave him authority to go out of town after knowing we had called him.

Senator SYMINGTON. How did he justify that?

The CHAIRMAN. He just said it.

Mr. COHN. He said he needed time to think about it.

The CHAIRMAN. He asked until Tuesday to think this over and, I assume, discuss it with others in the administration. I told him it was okay with me, and I assumed it would be with the committee. I don't know the position he will take Tuesday. I don't know what your position is. I frankly think if he can refuse to have any of his people testify, then every bureau head can and the committee will have to fold up.<sup>51</sup>

<sup>51</sup>The subcommittee later issued the following press release: Statement by Senator Joseph R. McCarthy, Chairman of the Senate Permanent Subcommittee on Investigations:

"Mr. Dulles, who by Congressional mandate is charged with the security of the CIA, while not contesting the right of the Congress to subpoena witnesses and uncover graft, corruption or subversion in any branch of the government, pointed out that if his employees were questioned in regard to their work or the work of their fellow CIA employees, it might well impair

Senator SYMINGTON. Could I comment on that? Here are just some of my thoughts about it.

I don't think anybody has the right, except the president, to refuse to testify before a congressional committee. Possibly the Supreme Court, I don't know. I do think that this area is very sensitive.

Personally, I don't agree with his position. I hate to disagree with a member of the other party, I think he ought to be down here, but here is the problem you have got with respect to Bundy. Hiss—I have also heard that Bundy is a Republican—but Hiss has fooled an awful lot of people. His lawyer for the first part of the trial, without a question, is one of the leading young lawyers of Baltimore, who is, as Patterson told me, one of the finest lawyers he ever knew. He is the only non-graduate of Harvard who is a member of the board of trustees. Now John Foster Dulles was a member.

Some people did it because of belief in the man. This man believed in him until he got the papers from the pumpkin, then he said, "This is no longer a case for me, but a case for the Department of Justice." There were lots of people fooled by Hiss and this boy might have been fooled by him too and thought an injustice was being done and contributed to the defense of injustice.

My only thought is that Acheson has been out of the State Department pretty close to six months, and as to what Bundy is or isn't is primarily a problem for Allen Dulles, John Foster Dulles and Eisenhower and that crowd. It is not a problem that has to do with Acheson. It is a problem that has to do with Bundy. The CIA reports to the National Security Council. The statutory members are the vice president, the secretary of state, the secretary of defense and the chairman of the National Resources Board. They have now reorganized.

Incidentally, my own father-in-law was the one that introduced the bill against the wishes of the previous administration to make the vice president—

Senator MUNDT. Who is your father-in-law?

Senator SYMINGTON. Jim Wadsworth. He introduced that bill and we discussed it. He felt the vice president should know something about the presidency—not like Truman. In any case, here you have an example of a case where it is a problem for you and Nixon and/or the administration as I see it.

To the best of my knowledge, I have never seen Bundy. I wouldn't know him if he came into the room. I don't think, inasmuch as there were so many good Republicans fooled by Hiss that because Bundy contributed to Hiss' defense we should bring him to trial as an imposter to serve as a public servant. On the other hand, if you feel that is true, it is a matter entirely within your province and the province of the committee to investigate.

The CHAIRMAN. We have told Dulles that we are not convicting Bundy ahead of time. This is a routine subpoena. I might also say

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the work of the agency, particularly as that agency is concerned with intelligence outside the United States.

It was agreed that representatives of the Subcommittee staff would confer with representatives of the Central Intelligence Agency, with a view to working out a formula whereby the Subcommittee could carry out its proper investigative functions in protecting the security of the United States, without impairing in any way the security of the Intelligence Agency. . . ."

that this fellow, Bundy, according to Dulles, only met Hiss once and he is not a wealthy man and \$400.00 is a lot of money.

Senator MCCLELLAN. Maybe he took up a collection. It is quite possible.

Senator JACKSON. Was he a classmate of his at Harvard?

Senator SYMINGTON. I don't think so. Hiss was three or four years younger than I am.

Senator MUNDT. I understand Bundy was a member of Acheson's firm and a good friend of Donaldson.

Senator JACKSON. Let me ask you this. I assume Mr. Dulles is going to talk to the president; that he ought to know what the policy of the administration is going to be regarding calling of witnesses. I think it of sufficient importance—there ought to be some definite statement of what the policy of the executive branch is going to be.

Senator MUNDT. It might be better to can everybody in the past administration.

Senator MCCLELLAN. I would like to make a suggestion. This is a pretty sensitive thing. My thought is to give him a week—until Tuesday, next Tuesday, and invite him just to come in here and informally talk to the committee. Then we all sit in here and exchange ideas. I am pretty strong on this idea. We have got a job. If we have got something that has possible merit in it—to have it bombed by some department head, I am not inclined to go along with that. But when you do have something as sensitive as this is, we should proceed with the utmost caution. I think you have handled it wisely as to this morning. You had a conference with him and have given him time to think it over. I think to keep it purely a committee action, that is one thing, as they are gunning for you and shooting at you every chance they get, so keep it a committee action. Have him come here Tuesday morning and sit down here and talk to us informally.

Senator MUNDT. Let me ask you this. When you were chairman of the committee and we called a fellow from the department—

The CHAIRMAN. I gathered in talking to Dulles this morning the thing he resented most is that he hadn't been approached directly.

Senator SYMINGTON. Well, we didn't know anything about it except from the newspapers. I was really a little irritated. Yesterday the State Department called me trying to get hold of Joe. An ambassador's money, bank account, had been impounded and he wanted to talk to us about it. The ambassador was raising Cain and reported it to his country. He gave the name of the investigator, who I didn't know was on the staff—Sheridan. I may have met him, but I don't remember it.

It is a little embarrassing to have a newspaper man call up and say we are going to interrogate Bundy, "What do you have to say?" Isn't there some way we could be apprised in advance. It is a little embarrassing.

Senator JACKSON. They didn't say who the witness was, just from CIA. The newspaper this morning gave Bundy. We didn't have the name. I asked who was coming up.

Mr. COHN. We called you.

Senator SYMINGTON. What time did you call? I was in my office until after twelve o'clock.

Senator JACKSON. I got mine at lunch.

Senator SYMINGTON. I got mine at ten minutes of two o'clock for a two o'clock meeting.

Senator JACKSON. I got word at a quarter after 12:00.

Senator MUNDT. When you were chairman and you called people before the committee, did you tell the department heads?

Senator MCCLELLAN. I was not chairman of the subcommittee. I think that is a proper thing. It seems if I were a department head I would be justified in telling my employees not to go on the Hill unless they told me they were going. I don't think there is anything wrong in that.

The CHAIRMAN. They appointed a liaison officer for this purpose. They say he is the man to contact. They give us a man they want us to contact. Pforsheimer for the CIA. For the State Department, Mason Drury.

Senator JACKSON. Why couldn't the committee be notified the day before they are going to be subpoenaed?

Mr. COHN. Because we didn't have time. We were trying to set up a meeting.

Senator JACKSON. Why aren't we advised when you subpoena people?

Mr. COHN. On these authors, we subpoena maybe fifty and five show up. We were trying to subpoena him and trying to get a meeting set up. We will be glad to do that.

Senator MCCLELLAN. The point is, Roy. You start in at ten o'clock. You get your news at ten o'clock. Our office gets it at 12:00. We are on the floor and the meeting is at 2:00, but if the thing is set up for the next day and you let us know—What is wrong with advising us that so and so is going to be here. Can't you arrange an appointment for a day in advance?

Mr. COHN. This was put to us in the form of a very emergency situation. It was put to us by people in high authority.

Senator SYMINGTON. By who?

Mr. COHN. I can't tell you that.

Senator SYMINGTON. You mean our own counsel can't tell us that. How long have you known about these Alger Hiss contributions?

Mr. COHN. Just a day or two. I knew about that Wednesday night.

The CHAIRMAN. I have had his name on a list a long time as a contributor to Alger Hiss' defense but we only learned of his imminent appointment then.

I would like to add that I feel this subcommittee should give the chairman power to hire and fire employees. First, let me say, as a practice this has been done in the past. Every committee on the Hill is doing it now. The full Appropriations Committee here did.

Senator JACKSON. They are not under the Reorganization Act.

The CHAIRMAN. The Judiciary Committee did the same, and the Immigration Committee. I checked with legislative counsel and he gave me a report. He gave you a report also.

Senator MCCLELLAN. Let's make that part of the minutes.

The CHAIRMAN. I think that is a good idea.

## MEMORANDUM FOR THE CHAIRMAN, PERMANENT INVESTIGATING SUBCOMMITTEE.

By telephonic communication on July 9, 1953 you have requested my opinion on the following questions:

- (1) Can a subcommittee give to the chairman of the subcommittee the power to employ and terminate the employment of subcommittee personnel?
- (2) Can the full committee reverse the action of the subcommittee in giving such power to the subcommittee chairman?
- (3) What are the precedents of the Senate with respect to delegations of authority to subcommittee chairman to employ and terminate the employment of subcommittee personnel?

I assume that questions (1) and (2) relate to the so-called Permanent Investigating Subcommittee of The Committee on Government Operations, which is now operating pursuant to S. Res. 40, agreed to January 30, 1953. S. Res. 40 provides that 'the Committee on Government Operations, or any duly authorized subcommittee, thereof, is authorized during the period beginning on February 1, 1953, and ending on January 31, 1954. . . . to employ upon a temporary basis such investigators and such technical, clerical, and other assistants, as it deems advisable.' Section 2 of that resolution provides that the expenses of the committee shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee or subcommittee, as the case may be.

S. Res. 40 clearly confers upon the Committee on Government Operations, or any subcommittee of that committee which the committee may vest with the power, the function of appointing and the concomitant function of terminating the employment of, persons employed to enable the committee or subcommittee to perform its duties under the resolution. If the committee has not created a 'duly authorized subcommittee' to carry on the functions provided for by the resolution, then the power of appointment and termination of appointment is clearly in the committee. If, however, the committee has established a 'duly authorized subcommittee' for the performance of such functions, the power of appointment and termination of appointment would appear to be in the subcommittee. If the power has been vested by the full committee in the subcommittee and the subcommittee desires to delegate to the chairman of the subcommittee the power of the subcommittee to employ and terminate the employment of subcommittee personnel, it seems to me that no effective challenge to that action of the subcommittee could be interposed by any person. The expenses of the committee are required to be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee or of the subcommittee, if there be one, and I fail to see how the disbursing officer of the Senate could question a voucher signed by the chairman of the subcommittee providing for the payment of the compensation of any person appointed to the subcommittee staff by the chairman of the subcommittee pursuant to delegated authority from the subcommittee.

With respect to question (2) above, it seems to me that if the Committee on Government Operations has provided a 'duly authorized subcommittee' to carry out the functions under S. Res. 40, the power to employ personnel for the subcommittee rests in the subcommittee (or the subcommittee chairman, if delegated to him by the subcommittee) and not in the full committee itself. It therefore seems to me that the full Committee on Government Operations would so long as it permits the 'duly authorized subcommittee' to remain in operation, be without power to regulate the employment and tenure of employment of the subcommittee personnel. The Committee on Government Operations, however, would be in a position to withdraw at any time its authorization to the Permanent Investigating Subcommittee to act as a 'duly authorized subcommittee' of the committee for the purpose of performing functions under S. Res. 40. In the event that it should do so, it would seem clear that the power to appoint and terminate the appointment of persons employed to carry on functions under S. Res. 40 would then be vested in the Committee on Government Operations.

As I indicated to you over the telephone, the only source of information which I know with respect to your question (3) would be the members or employees of the various existing and former subcommittees of the Senate. Due to limitations of time, I have been unable to make any inquiries to determine the extent to which Senate subcommittees have previously authorized their chairman to employ and terminate the employment of subcommittee personnel.

The CHAIRMAN. It points out as a duly authorized subcommittee, the subcommittee can delegate to the chairman that authority. I think the chair has got to have that authority. As you know, I have attempted nothing up to this point that hasn't had unanimous ap-

proval of the subcommittee. The Matthews thing, I think, was unfortunate. As you recall before you issued your statement, I asked that you do nothing for a couple of days until I could work something out. The statement, unfortunately, was issued. Maybe it was a political move and you had to do it.

Senator SYMINGTON. I think it is pretty obvious we had to do it pretty quick.

[The senators engaged in an off-record discussion.]

The CHAIRMAN. I hope the committee will give me authority to employ and discharge employees.

Senator MCCLELLAN. I tell you what you do. Set a meeting one day next week—an executive session—and we will go into it.

We are entitled to some members of the staff assigned to us as a minority group and this committee moves so darn fast. They have gotten out three reports and I haven't had time to read any of them. I have got to have somebody on this staff, going as fast as we are now, to help us.

The CHAIRMAN. I have no objection to assigning a staff member to the minority. I should inform you of the past precedent. I asked the Democrats to give us one man. They refused to do that. I don't think we are bound by that precedent. I think in view of the amount of work, the number of reports, etc., the minority should have one.

Senator MCCLELLAN. I didn't know you ever requested one.

Senator MUNDT. We requested one three or four different times. Clyde Hoey<sup>52</sup> talked us out of it. I know exactly how you feel; we were in the same spot.

Senator MCCLELLAN. What was his justification?

Senator MUNDT. That he didn't want any politics in this committee and that would lead to partisanship. Still he had the votes.

Senator MCCLELLAN. On the full committee we didn't vote on it.

Senator MUNDT. I know exactly how you feel, since it is a prevailing custom. It shouldn't be different on this committee than any other committee. I still don't like to see you pick on Joe and pull the rug out from under him, but I shall certainly vote to let you fellows have part of the staff. Hoey did turn it down.

Senator MCCLELLAN. I don't believe it ever came up in a meeting.

The CHAIRMAN. It came up in several meetings when he was chairman.

Senator MCCLELLAN. You know on the full committee I kept the staff on just as Joe did here. The staff that had been working, all except the staff director. You remember when I took over, the committee had a staff director and clerk of the committee. They were in a fight over jurisdiction—which one had jurisdiction to do this and that. I kept on Walter Reynolds. He had worked for a Republican for sixteen years. My instructions were to serve the whole committee and I feel you had just as much right to request this assignment. I certainly would have done it. I tried to make them serve everybody alike—Republicans and Democrats. If there was a

<sup>52</sup> Clyde R. Hoey, Democrat of North Carolina, chaired the Permanent Subcommittee on Investigations from 1949 to 1952.

disagreement on the report, a committee split, I had them write the best report.

The CHAIRMAN. Let me ask you this. I am not arguing whether there should be a staff member assigned to the minority. Does anyone have any complaint about the type of services Reynolds or other members of the full committee have given?

Senator MCCLELLAN. Not so far as I know.

The CHAIRMAN. We have your own man that you have selected, Walter Reynolds. He is a good man—

Senator MCCLELLAN. I assume he is a Republican. He was born in Arkansas and worked for Ham Fish for sixteen years.

The CHAIRMAN. In any event, if you want a member of the full committee or a member of the subcommittee assigned—

Senator MCCLELLAN. I don't need a member of the full committee, personally. I don't know about the other boys.

The CHAIRMAN. I hope that if we have a change in control that we get the same courtesy given the minority now. This courtesy we did not get last year and the year before. We asked for it three or four times. Despite that, I feel if the minority wants somebody, they should have someone.

Senator MCCLELLAN. I can't read the reports, can't check them. I have no way. You know the work load here is two or three times as heavy as under Hoey.

Senator SYMINGTON. I want to find a fellow who thinks senators don't work hard after six months of this.

The CHAIRMAN. Now, we are going to take up this question of whether you are going to give the chairman the authority to hire or discharge staff members.

Senator MCCLELLAN. You give us a list of the staff at present and set up a meeting now for next Monday or Tuesday or whatever day you want.

The CHAIRMAN. John, I have got the press waiting out here.

Senator MUNDT. If the committee is going to function properly during recess, I don't see how they are going to without delegating this authority to the chairman. I don't want to have to pass on people during recess.

Senator MCCLELLAN. I certainly wouldn't want to hamper the work of the committee.

The CHAIRMAN. It has happened on the Jenner committee, McCarran committee, and other committees have given the chairman the right because of the necessity of it.

Senator SYMINGTON. I only said I would like to see Mr. Matthews leave the committee. I have gotten along very well with the other members of the committee. Isn't that right, Roy?

Mr. COHN. That is correct.

Senator SYMINGTON. I expressed dissatisfaction with one member of the committee and you are building a very broad issue out of it. Inasmuch as the committee delegated work with and for members of the committee, I have taken full responsibility with you for the activities of the committee and I have not protested that until this particular happening. I think based on this happening and the basis of the circumstances, I ask you to read the record to decide whether I brought up anything except the fact I would not want Matthews on the committee.

The CHAIRMAN. As far as I am concerned, I have no thought or desire to take any arbitrary action in employing or discharging. I have tried, as you know—I have gone all out to make every action unanimous. I can't operate if each time I hire or discharge someone I have to round up several members.

I am just asking today for what the chairman has always had. If the committee finds the chair abuses his power, and I don't think he will, you have got a perfect right to vote to take that away.

Senator SYMINGTON. May I respectfully say you hired Matthews, according to my memo in writing, subject to the approval of the committee.

Senator MUNDT. The committee does have the right to delegate this power. Matthews has resigned and it has been accepted. Assuming he had not resigned, the committee had the right to say, "You do not have the right to keep him on."

The question now is: Just how do we operate. If we can delegate that power to the chairman, we can withdraw it. If he abuses it and there is another incident like Matthews, we can pass a resolution to withdraw it. We have got to have some working mechanism.

Senator SYMINGTON. Nobody objected to Matthews being put on the committee.

Senator MUNDT. Having had this issue now, we are in a state of confusion. Does he have authority to hire a new staff director?

Senator SYMINGTON. I don't see any state of confusion. I am trying to be intelligent and fair, but I don't see the issue.

Senator MUNDT. Where do we go from here?

Senator SYMINGTON. Here is where I say we go from here. If Matthews or somebody else comes on and if he is a writer and writes an article and says 50 percent of this or that does thus and so, then I think we should have the right to get rid of him, whether we are in recess or not. We are taking the responsibility with our people for his actions.

Senator MUNDT. Then we could have a meeting and discuss it.

Senator SYMINGTON. Suppose the chairman says, "No, I don't want to get rid of him."

Senator MUNDT. Then we will pass a resolution that the chairman no longer has the right to hire and fire.

Senator SYMINGTON. I don't see why we have got to pass a resolution in the first place. I am no lawyer, but it seems to me we are getting involved.

Senator MUNDT. Matthews is out. His resignation has been accepted and he is gone. Now, do we hire a new staff director? I think the chairman should choose him.

Senator SYMINGTON. If the chairman only says what he said in the memo; that he is hiring a new fellow subject to the approval of the committee. Why change now?

Senator MUNDT. I don't want to have to vote on every staff member. I will put that responsibility on the chairman as part of his job.

Senator SYMINGTON. But the implication of the resolution is that we can't fire any member of the staff.

Senator MUNDT. No. You give the chairman the right to hire and fire. Anytime the committee can withdraw that power by a majority committee vote.

Senator SYMINGTON. Here is your other side of it. If the chairman forces a vote here and we agreed with his vote, then we would in effect be saying that the Matthews' discharge was a mistake. We would be saying in effect that from here on anybody hired by the chairman, he had the full authority to do it, and we didn't have the authority to discharge him.

The CHAIRMAN. The only thing I am asking is that you authorize the chairman to do what other committees have been doing and by a majority vote of the committee, you can revoke that power. It only authorizes me to do what other chairmen have been doing already.

Senator MUNDT. Now, what would be wrong with giving the chair authority to hire and fire subject to a gentlemanly agreement between the two parties so we could keep this thing operating without getting into a lot of partisanship.

Senator SYMINGTON. Let me put it to you this way. The president of a company operates subject to the approval of the board of directors. Everybody knows that he hires and fires and he is operating the organization. Now, when there is a difference of opinion, the majority of the board rules over the president. If we pass this resolution today, we are repudiating our action and the impression will be that Matthews should have been left on.

Senator POTTER. I don't think that is so. The thing, as I understand this resolution, we are making proper form what has been the past practice, not only with this committee, but other committees, and I will be very frank, I don't want to have that responsibility when I am out in Michigan. As it turned out I had a chance—I was asked whether I wanted him on or not.

Senator SYMINGTON. You say the chairman of the committee should have the right to hire subject to the approval of the committee—operating in a normal business fashion.

Senator POTTER. No, it makes me responsible. I felt a responsibility for Matthews.

Senator MUNDT. I think we should give the chairman the right to hire and fire them and if he makes a mistake or does anything wrong, I move the chairman no longer has that right.

Senator SYMINGTON. But he already has the right.

Senator MUNDT. All right, take it away.

Senator SYMINGTON. Karl, what do you think of Matthews' article? Do you think the article was all right for the director of the staff? Why delegate your rights to have a say in the matter by passing a resolution that you didn't have a right?

Senator POTTER. I don't see what Matthews has got to do with it. That is out the window. He has resigned and his resignation has been accepted. He is out now. The question is how the committee in going to function now—if you want to function as two political parties or function together in one room. Let's forget about Matthews. That is out the window. It seems to me a matter of practical cooperation. I don't see how we can have it any other way. We will be gone for months. Joe will be in closer contact with the committee than any of the rest of the committee members. He may hire a man for two weeks because of the nature of the work he has. I certainly don't want to be responsible for who he hires.

Senator SYMINGTON. Charles, let me ask you this. If you are up in Michigan and somebody puts out an article that all rabbis in Michigan are Communists don't you want the right to say this man ought to leave the committee?

Senator POTTER. Sure and I would. I would still have the right.

Senator SYMINGTON. You want to pass a resolution saying you wouldn't.

Senator POTTER. It would take away authority of any individual member of the committee. It just gives in lieu of action of the committee, it gives the chairman the right to act on his own. I think you have got to have that kind of system.

Senator MUNDT. Let me try to make a motion. In order that there can be a clear cut understanding of the procedure of the operations of the Committee on Government Operations, I move that the chairman of the committee shall have the right to hire and dismiss employees of the subcommittee, and that the chairman of the committee shall assign to the minority chairman a staff member agreeable to him and to operate under his direction.

Senator McCLELLAN. You mean any member of the staff—

Senator MUNDT. Select one agreeable to you.

Senator SYMINGTON. Karl, let me ask you a question. Employees subject to the approval of the committee.

Senator MUNDT. That makes me responsible. I don't want that responsibility.

Senator SYMINGTON. Haven't you got confidence in your chairman? You have got four members of the Republican party. I am perfectly willing to go along with the majority of the committee. It makes it look like we are abdicating our entire position in the committee.

If another Matthews comes up and writes another article, I want the right to oppose it.

[The senators had an off-record discussion.]

Senator SYMINGTON. You pass that resolution. I know Joe has great respect for Senator McClellan. I say this: If you pass that resolution you have the implication that he has completely abdicated from his position. That is what I think and I always say what I think.

Senator MUNDT. I always say what I think too.

If you delegate that authority, you can certainly withdraw it.

Senator McCLELLAN. I move, as a substitute, that the matter be deferred until next Tuesday morning at ten o'clock.

The CHAIRMAN. I don't see how you can gain anything by deferring it. I intend to get a vote before I leave here today. I have taken too much kicking around.

Senator McCLELLAN. Take your vote.

The CHAIRMAN. Ruth, call the roll. This will be on Senator McClellan's.

Mrs. WATT. Senator Mundt?

Senator MUNDT. No.

Mrs. WATT. Senator Potter?

Senator POTTER. No.

Mrs. WATT. Senator McClellan?

Senator McCLELLAN. Aye.

Mrs. WATT. Senator Jackson?

Senator JACKSON. Aye.

Mrs. WATT. Senator Symington?

Senator SYMINGTON. Aye.

Mrs. WATT. Senator Dirksen?

The CHAIRMAN. Senator Dirksen will vote "No."

Mrs. WATT. Senator McCarthy?

The CHAIRMAN. No.

We will now take a vote on Senator Mundt's motion.

Mrs. WATT. Senator Potter?

Senator POTTER. Aye.

Mrs. WATT. Senator McClellan?

Senator MCCLELLAN. No.

Mrs. WATT. Senator Jackson?

Senator JACKSON. No.

Mrs. WATT. Senator Symington?

Senator SYMINGTON. No.

Mrs. WATT. Senator McCarthy?

Senator MCCARTHY. Aye.

Mrs. WATT. Senator Dirksen?

The CHAIRMAN. Senator Dirksen votes "Aye" and I insert his proxy in the record.

I hereby authorize the Chairman to vote my proxy in favor of a resolution providing that personnel for the Subcommittee shall be employed and discharged by the Chairman of the Subcommittee.

S/ EVERETT M. DIRKSEN,  
U.S. Senate.

There is one other thing asked by Dr. Matthews. In view of the charges made against him about what he wrote, he has asked for the right to appear and produce evidence to show the truth. I wrote him that in view of the fact the alleged charges were made by the three Democratic members of the committee, I would not hold a hearing except with unanimous approval of the three Democratic members. If they want to have a hearing, I will call such a hearing.

Senator MCCLELLAN. May I make this statement for the record. Mr. Matthews made charges against a large group and segment of our people, charges over which this committee has no jurisdiction. We were only concerned with whether Mr. Matthews was a suitable person to serve on the staff of this subcommittee. That matter has been disposed of. If Mr. Matthews is interested in establishing the accuracy of the charge, the Un-American Activities Committee of the House of Representatives has full jurisdiction and is now in the process of making similar investigation and he has the opportunity to establish it there.

The CHAIRMAN. May I just correct one statement. You state "an unsuitable person has been disposed of." That I would certainly disagree with. Dr. Matthews resigned. He quit. I think Dr. Matthews is an outstanding man. I don't think quitting established him as unsuitable.

Senator MCCLELLAN. I am not suggesting that the three Democrats—what I have said, I am not speaking for the other members. They can speak for themselves.

Senator JACKSON. I wish to concur in the statement made by the Senator from Arkansas.

Senator SYMINGTON. Well, I must say that last night I was very anxious to see that Dr. Matthews be brought before us in open hearings. I thought it over and believe the committee has no jurisdiction. I discussed it last night and on advice of other people and I think he now should not be brought before this committee. I join Senator McClellan in that.

The CHAIRMAN. I may say if the three Democratic members wanted to give him this hearing, it is my thought, subject to the approval of my Republican colleagues, I may call the Democratic chairman of this subcommittee to hear it so there can be no claim of any bias in favor of Dr. Matthews. I think as a general proposition when a man is smeared as badly as he was in the *Star* yesterday and by so many papers, we have serious accusations made against him, something so untrue that he is not fit for a job with the committee, that under normal circumstances that man should be given a hearing. I can see the difficulty here if we get into an investigation of communism in the clergy, I am not advising the three Democratic members what to do. I will abide by the decision of the three Democratic members, the minority.

Senator MCCLELLAN. I want to make it clear that for him to refuse the charge for which the three of us based our unsuitability, namely, that the largest single group in the United States supporting the Communist apparatus was the Protestant clergy, to prove that charge would involve a wholesale investigation of the clergy, and as I understand it, this committee has no jurisdiction.

Senator MUNDT. I think the decision is right. It would be extremely bad taste to investigate alleged charges of communism in the clergy, which obviously has nothing to do with expenditure of government funds.

Senator JACKSON. I take it you concur.

Senator MUNDT. Yes.

Senator MCCLELLAN. I think I pointed out, if he wants a day in court, wants a hearing, there is a proper tribunal that I am sure will hear him; that is the Un-American Activities Committee of the House of Representatives. It is their job. We do not have jurisdiction. If we get into it, it could go on indefinitely. The committee would be detracted from its other duties or its proper functions and over which it has jurisdiction.

Senator POTTER. I doubt if we have any legal right to spend public funds for that type of thing.

The CHAIRMAN. May I say the last thing I am going to do is investigate the clergy. For that reason I decided if you were going to give Matthews his day in court, I would ask John to sit as chairman.

Senator JACKSON. I take it it is unanimous that we not got involved in an investigation of the clergy as something we should not go into.

The CHAIRMAN. Not unanimous. I am leaving it up to the three Democrats. Matthews has been involved in a number of cases. I don't have complete knowledge and I don't intend to get into them myself. I must ask him to continue to work with the investigators for four or five days or a week in order to turn the stuff he has over to them.

One other thing, I would like to get suggestions as to a successor to Matthews. We have one man under consideration now, Frank Carr. He is head of the FBI Subversive Activities in New York. He has got about three hundred men working under him. He is an outstanding administrator. We might have some difficulty getting Hoover to consent to have him leave the bureau. I will be glad to get suggestions.

Senator SYMINGTON. I would like to say, if you want to hire him, I am for it.

Senator MCCLELLAN. I wouldn't want to say without further investigation. Let's have a full-field investigation.

Mr. COHN. He can't be an FBI agent without a full-field investigation.

Senator SYMINGTON. If you want him, I am for him.

Senator MCCLELLAN. What I am saying is, "Let's be darn sure."

The CHAIRMAN. I think it will be easier for an older man, fifty-five or sixty years of age, to run that staff. I found that a young man in charge of other young men doesn't work out too well.

Another man that I had in mind, whether or not he would be interested in the job, Herb O'Connor.<sup>53</sup> If he would take it, he would be a very good staff director, I haven't talked to him. That would keep the political pattern consistent.

[Whereupon the hearing adjourned.]

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<sup>53</sup> Former Senator Herbert R. O'Connor served as a Democrat from Maryland from 1947 until January 1953 and was not a candidate for reelection in 1952.



## ALLEGED BRIBERY OF STATE DEPARTMENT OFFICIAL

[EDITOR'S NOTE.—Elected president of Nicaragua in 1936, National Guard chief Anastasio Somoza Garcia chose not to run for reelection in 1944 and instead established a puppet government headed by the elderly Leonardo Arguello. After Arguello defied Somoza's authority, the National Guard staged a coup to install Benjamin Lacayo Sarcasa as president. The Truman administration withheld diplomatic recognition from this new regime, and Somoza formed a Constituent Assembly to draft a new constitution. The assembly appointed his uncle as the new president. In mid-1948 the U.S. restored diplomatic relations with Nicaragua. Somoza was assassinated in 1956.

Among the family members whom Somoza appointed to key positions within government was his brother-in-law, Guillermo Sevilla-Sacasa, who served as Nicaraguan ambassador to the United States from 1936 until the Sandanistas took power in 1979. Juan Jose Martinez-Locayo, former Nicaraguan counsel general in San Francisco and New York, and nephew of Benjamin Lacayo Sarcasa, did not testify in public session.]

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MONDAY, JULY 13, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:30 a.m., in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis D. Flanagan, general counsel; James F. Sheridan, investigator; Ruth Young Watt, chief clerk; Mason Drury, liaison officer, State Department.

The CHAIRMAN. In this matter now in hearing before the committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MARTINEZ-LOCAYO. I do.

Mr. FLANAGAN. Mr. Martinez-Locayo, will you give your full name?

### TESTIMONY OF JUAN JOSE MARTINEZ-LOCAYO

Mr. MARTINEZ-LOCAYO. Juan Jose Martinez-Locayo.

Mr. FLANAGAN. And your present address?

Mr. MARTINEZ-LOCAYO. 52 Tamalpius Terrace, San Francisco 16, California.

Mr. FLANAGAN. Are you now a citizen of the United States?

Mr. MARTINEZ-LOCAYO. No, I am a citizen of Nicaragua.

Mr. FLANAGAN. Were you formerly in the service of the Nicaraguan government?

Mr. MARTINEZ-LOCAYO. I served as Consul General of Nicaragua at San Francisco from July 1936 to October 1943, and consul general in New York from November 1943 to the 6th of February 1948. Also I served as Nicaraguan delegate on different occasions to the United States in 1946 and 1947. Also I served as Nicaraguan delegate to the first Inter-American Travel Congress, held in San Francisco, in 1939, in April.

Mr. FLANAGAN. In May of 1947, on May 25th I believe, was not the president of Nicaragua deposed?

Mr. MARTINEZ-LOCAYO. May I make a short history of the situation?

Mr. FLANAGAN. Yes. Go ahead.

Mr. MARTINEZ-LOCAYO. Nicaragua held an election for a new president and a new congress. On the 1st of May 1947, the new president and the new congress got into office. This is to the best of my knowledge, you know. I was very close to Nicaraguan politics, even though I have never been in Nicaragua for the past seventeen years.

The new president, who was before a good friend of General Somoza, S-o-m-o-z-a, became suddenly against Somoza, and Somoza didn't like it at all, and within a very short while, on the 25th day of April 1947—

Mr. FLANAGAN. Of May?

Mr. MARTINEZ-LOCAYO. Pardon me. Of May 1947, Somoza, through the congress, declared this president incapable of handling office.

On the very same day, the congress met and elected a president. It happened to be a brother to my mother. His name is Benjamin Locayo-Sacasa, L-o-c-a-y-o-S-a-c-a-s-a.

The very same day this new president took office, Nicaragua was out of recognition from the United States government. Therefore, we didn't have an ambassador with fully recognized powers in the United States, because there was no recognition made to the government. Automatically when a new government gets in office, if they send a diplomatic representative, he is accepted. But on this change of government, even though it was legal, according to the Constitution of Nicaragua, the way that it was done didn't please at all the United States government.

About the 27th of May, 1947, I came to Washington to make company to the wife of Dr. Guillermo Sevilla-Sacasa, G-u-i-l-l-e-r-m-o S-e-v-i-l-l-a-S-a-c-a-s-a, because she thought she was treated, you know, badly by the Nicaraguan residents here. They wanted to get into the Nicaraguan embassy and take her out.

Mr. FLANAGAN. At that time, Sevilla-Sacasa had been ambassador, up until the time his government was not recognized?

Mr. MARTINEZ-LOCAYO. He was ambassador from June, I believe, 1943, to the 25th of May 1947.

Mr. FLANAGAN. Go ahead.

Mr. MARTINEZ-LOCAYO. So I came to Washington with my wife and daughter, stopped at the Nicaraguan Embassy, and this was my last visit to the embassy and to Washington up to today. I never come back.

Mr. FLANAGAN. Go ahead.

Mr. MARTINEZ-LOCAYO. During the trouble, Sevilla-Sacasa was in Nicaragua. So he returned to the United States as permanent representative to the United Nations, but not under the prestige of the Nicaraguan ambassador to the United States. He came in the last days of May or the very first days of June, 1947.

When he got here in Washington, he telephoned me, first to thank me for making company to his family and giving them protection, as he said; secondly, to inform me that he was prepared to start the movement to get recognition for the new government. And he has brought with him thirty thousand United States currency, dollars, you know, for any eventuality that may come up.

Mr. FLANAGAN. Did he say what the \$30,000 was for at that time?

Mr. MARTINEZ-LOCAYO. No, just like that, that "I have \$30,000 for any eventuality that may come up." Spruille Braden was a member of the State Department, and he was very much against Peron, Somoza of Nicaragua, and a few other dictators of Latin America.

The situation of Sevilla-Sacasa in Washington during June 1947 was not satisfactory at all. But a few days later, Braden went out of the State Department, and they had a big celebration in the Nicaraguan Embassy. As a matter of fact, they phoned me and invited me for the celebration. I didn't accept the invitation. I didn't return to Washington.

But things continued you know, not so favorable and he got in touch with Somoza, who is a strong man of Nicaragua, and also his father-in-law. Because Sevilla-Sacasa is married to the only daughter of Somoza, the baby of the family. And he informed Somoza that \$30,000 wouldn't do enough to get things going.

It was necessary to have \$80,000, instead.

Mr. FLANAGAN. Now, at that very point, how did you know that \$30,000 wasn't enough, and that he needed \$80,000?

Mr. MARTINEZ-LOCAYO. I will tell you why.

Then, you know, Somoza sent a representative, who was the former foreign minister of relations of Nicaragua, a very prominent attorney, and internationalist, who had served in the United Nations and many other posts, and also a very honest man—because he is, to the United States—

Mr. FLANAGAN. Who was this man?

Mr. MARTINEZ-LOCAYO. Dr. Mariano Arguello-Vargas, M-a-r-i-a-n-o A-r-g-u-e-l-l-o-V-a-r-g-a-s. And he came direct to New York. He didn't want to stop in Washington before talking to me. He came direct to New York on or about the 1st of July. Because I can remember it was a holiday. The consulate was closed. He got to the airport around six o'clock in the morning, to the New York airport, and we went directly to the Nicaraguan Consulate Office in the RKO Building in Rockefeller Center. He opened his briefcase and he explained to me what Sevilla-Sacasa has informed General Somoza of the \$80,000 instead of the \$30,000.

Mr. FLANAGAN. Did Dr. Vargas have any idea what they were going to need this eighty thousand for?

Mr. MARTINEZ-LOCAYO. He asked me if I knew. I said, "This is completely unknown to me." And then I said: "Why don't we have the ambassador come to New York?"

They said, "We will invite him for a conference in New York."

Mr. FLANAGAN. At this time when you were discussing the need for this eighty thousand with Dr. Vargas, did you have any idea what they were going to need the eighty thousand for?

Mr. MARTINEZ-LOCAYO. No.

Mr. FLANAGAN. Did Dr. Vargas know anything about that?

Mr. MARTINEZ-LOCAYO. No, he didn't know anything about it. So he opened his briefcase, and he had a letter from General Somoza to me, which I have here, dated July 2nd, 1947. The letters that Vargas brought were opened, were not sealed. Because Vargas will never accept, you know, a sealed envelope. So my letter was opened, and so was the letter that he carried for the late Lawrence Duggan. My letter said: "My esteemed friend." Dated 2nd of July 1947, Managua:

It is to inform you that Dr. Mariano Arguello Vargas is going to the United States on a very confidential mission for our Government and with my personal representation relative to the affairs of Nicaragua.

Very highly recommend to you, and very specially also, that you give him your very previous help in every way necessary. I know how capable you are and your good relations, and I am sure he will be in the benefit of our political affairs.

With my kindest personal regards to you and your family, all of them very close to my heart, I remain as always, your very true friend, A. Somoza.

I am afraid if it gets back there.

Mr. FLANAGAN. You say you are afraid of a reprisal if it gets back there?

Mr. MARTINEZ-LOCAYO. I am helping you find out things, you know.

Mr. FLANAGAN. Your family still resides there?

Mr. MARTINEZ-LOCAYO. Yes, my brother is the paymaster of the Nicaraguan army and my mother and my sister, and a very large family of my wife.

Mr. FLANAGAN. At that same meeting that you had with Dr. Vargas in New York, probably on the 4th of July, there was also a letter to the late Lawrence Duggan?

Mr. MARTINEZ-LOCAYO. Yes, sir.

Mr. FLANAGAN. Did you see that letter?

Mr. MARTINEZ-LOCAYO. I saw the letter. And I say, "Have you seen Lawrence Duggan?" He said: "I haven't seen him for many years." The only time I have seen him was in San Francisco in April 1949, when he represented the United States government in the first Inter-American Travel Congress. He approached me in such a cordial way, you know, in San Francisco, and he suggested that I be the chairman of the Pan-American Highway Committee. And I was the chairman of the Pan-American Highway Committee in that Congress. And I say to Dr. Arguello-Vargas at that time: "I would like to see the letter before delivering it, because I don't want to compromise myself under no circumstances."

So he say: "The letter is open."

The letter more or less said, you know, in Spanish, whether in Spanish or English—

"Mr. Lawrence Duggan"—it was an address on Park Avenue New York. And it said: "Dr. Arguello-Vargas is in the United States for a special mission"—just more or less what he said to me in the first part. "I would appreciate to get from you the very same service you rendered me in the past," and then all the love, and etcetera. And

Arguello-Vargas said "Why do you put inside a Nicaraguan consulate envelope and send it to Duggan?" I said, "It is easy to put a three-cent stamp and mail it to Duggan."

Mr. FLANAGAN. Why didn't you want to deliver it to him?

Mr. MARTINEZ-LOCAYO. Because I don't believe you know that a president or a dictator should go, you know, to a small-scale representative, and not go to the right channels, you know. I got suspicious, to tell you the truth. Because Duggan was very friendly to Somoza, and as a matter of fact, he had a maid, a servant, in Nicaragua, in his home for many years. Sevilla-Sacasa didn't go to New York. We called him. But when we called him, he informed Arguello-Vargas that things were getting tougher and tougher every day and he need not \$80,000 but \$150,000.

Mr. FLANAGAN. He now tells you on the telephone that he needs not \$80,000 but \$150,000, to get your nation recognized?

Mr. MARTINEZ-LOCAYO. To get my nation recognized; to get the government recognized.

Mr. SHERIDAN. Did he say that the demand had gone up and they now needed \$150,000?

Mr. MARTINEZ-LOCAYO. He said things are getting tougher, and "We have to get recognition right away before we go to the Rio de Janeiro Conference."

Mr. FLANAGAN. Did he indicate at that time what he would need all that amount of money for?

Mr. MARTINEZ-LOCAYO. He never did. He only mentioned that he needed money to get the recognition. He never mention names. He never mentioned what for.

Mr. FLANAGAN. Now, after he hung up the phone, did you have any discussion with Dr. Vargas about this large amount of money?

Mr. MARTINEZ-LOCAYO. We certainly did. And we said, "I don't understand why we should spend money on recognition when it is legally what Nicaragua has done in accordance with the Constitution."

Mr. FLANAGAN. Did either one of you at that time express any idea as to why you were going to need \$150,000?

Mr. MARTINEZ-LOCAYO. We didn't express any idea, but Arguello-Vargas asked me, "What do you think of it?"

I said, "Why don't we get in touch with some of my friends, explain to them the situation, and see what they think about it?" And then I contacted Harry K. Stone.

Mr. FLANAGAN. Harry K. Stone?

Mr. MARTINEZ-LOCAYO. Yes. Harry K. Stone, Honorable Harry K. Stone, Judge, Brockton Probate Court and Court of Insolvency.

Mr. FLANAGAN. Brockton, Massachusetts?

Mr. MARTINEZ-LOCAYO. Brockton, Massachusetts. And also Anthony U. Meyerstein, 66 Court Street, Brooklyn, who was vacationing at that time. I believe he was in Canada.

Mr. FLANAGAN. So you and Dr. Vargas decided that you would get in touch with your friend, Judge Stone, in Brockton and with Mr. Meyerstein in Brooklyn?

Mr. MARTINEZ-LOCAYO. In Brooklyn.

Mr. FLANAGAN. Before you did that, I notice in your affidavit you were speaking of the same meeting, and you said, "I told Vargas that there should be no secrets between us, and that I would abso-

lutely have nothing to do with any attempted bribery of United States officials.”

Mr. MARTINEZ-LOCAYO. I said that.

Mr. FLANAGAN. You said that to Vargas?

Mr. MARTINEZ-LOCAYO. I did.

Mr. FLANAGAN. At that time?

Mr. MARTINEZ-LOCAYO. At that time.

Mr. FLANAGAN. What made you think they were going to use the money to bribe United States officials?

Mr. MARTINEZ-LOCAYO. Because I believe if you have a right to get recognition of a government, you don't have to spend a single penny. It comes by itself automatically. The law, you know, provides the procedure. So, naturally, you know, if money is involved, there are doubts why the money had to be used. How the money was used, I don't know.

Mr. FLANAGAN. So then on July 4th, you and Dr. Vargas were of the opinion that this money was going to be used to bribe somebody in the United States government?

Mr. MARTINEZ-LOCAYO. Well, we kept quiet.

Mr. FLANAGAN. But I mean among yourselves.

Mr. MARTINEZ-LOCAYO. I was of the opinion that money was going to be expended to influence or to bribe.

Then a telephone call came through with Somoza.

Mr. FLANAGAN. The same day?

Mr. MARTINEZ-LOCAYO. I believe it was the 5th or the 6th. I don't remember dates very good. It is so many years ago.

Mr. SHERIDAN. In July?

Mr. MARTINEZ-LOCAYO. In July—to the Waldorf-Astoria Hotel.

Mr. FLANAGAN. Put the number in.

Mr. MARTINEZ-LOCAYO. 1170.

Mr. FLANAGAN. Room 1170 at the Waldorf.

Mr. MARTINEZ-LOCAYO. Yes; where Arguello-Vargas was stopping.

Mr. FLANAGAN. And you were in the room with Vargas?

Mr. MARTINEZ-LOCAYO. I was in the room with Vargas, and we held a telephone in between us to listen to the conversation.

Mr. FLANAGAN. Who called?

Mr. MARTINEZ-LOCAYO. Vargas was the one who did the talking.

Mr. FLANAGAN. I mean: who was the call coming from?

Mr. MARTINEZ-LOCAYO. From Somoza.

Mr. FLANAGAN. In Nicaragua?

Mr. MARTINEZ-LOCAYO. In Nicaragua.

Mr. FLANAGAN. And what was the conversation? Repeat it, what Vargas said, and what you said.

Mr. MARTINEZ-LOCAYO. More or less like this: “General, now that I am here, the things have changed. Instead of the last figure, it is \$150,000.”

Somoza, kind of angry, replied: “Don't go around the bushes. Why don't you get in touch directly with President Truman?” Arguello-Vargas was speechless. The conversation was over, more or less, you know. And after a while, Arguello-Vargas said, “Somoza talk too much.” Then Judge Stone came to New York.

Mr. FLANAGAN. Who came to New York?

Mr. MARTINEZ-LOCAYO. Judge Stone. And we gave him a memorandum of the procedure that took place in Nicaragua during the change of presidency. He was under the impression that it was a legal matter, that he could be able to talk to members of the State Department to convince them that the Congress then was recognized as a legal Congress on the same election of the president as was recognized by the United States government, proceeding in accordance with the constitution of Nicaragua to have a new president in accordance with the constitution.

Mr. FLANAGAN. Did you tell Judge Stone the fact that the ambassador, Sevilla-Sacasa, had this money or talked about this money?

Mr. MARTINEZ-LOCAYO. Nothing at all.

Mr. FLANAGAN. You didn't mention that?

Mr. MARTINEZ-LOCAYO. Nothing at all.

Mr. FLANAGAN. Did you tell Judge Stone that you felt that there were improper steps being taken or about to be taken in connection with it?

Mr. MARTINEZ-LOCAYO. No, we only mentioned that we would like to have recognition in the proper manner, due to the fact that we thought we were entitled to have it, you know. Because the procedure was legal in Nicaragua.

Mr. FLANAGAN. Judge Stone is your personal friend. Is what why you went to him?

Mr. MARTINEZ-LOCAYO. He is a personal friend of mine, and he is a friend of Somoza. At that time, he was consul of Nicaragua in Boston.

Mr. FLANAGAN. Then in your discussions at that time with Stone, you were merely seeking legal means to get your government recognized?

Mr. MARTINEZ-LOCAYO. By all means.

Mr. FLANAGAN. And I have here a letter of July 11, 1947, which is addressed to you by Harry K. Stone. It is merely a discussion of the problem of recognizing your government, and I will put that in the record at this time, to make it complete.

Mr. FLANAGAN. I also have here a letter of July 11, 1947, unsigned, but bearing the initials "hks" addressed to Dr. Mariano Arguello at the Waldorf Astoria. That was the man that was with you?

Mr. MARTINEZ-LOCAYO. That was the one.

Mr. FLANAGAN. We will put that in the record.

Then did you talk to your friend, Mr. Meyerstein, about this?

Mr. MARTINEZ-LOCAYO. When he came back from his vacation, I talked to him, and I put up the same idea that I put up on Judge Stone, the legal procedure that Nicaragua took to have a new president; and see what he can do, you know, with some of his friends, as an advice.

Mr. FLANAGAN. Who is Meyerstein?

Mr. MARTINEZ-LOCAYO. Meyerstein has been a friend of mine since 1925.

Mr. FLANAGAN. Is he a lawyer?

Mr. MARTINEZ-LOCAYO. No, he is a contractor. At that time, he had several contracts with the government. I believe he was a very close friend to Sol Bloom, the late senator.

Mr. FLANAGAN. Congressman Sol Bloom?

Mr. MARTINEZ-LOCAYO. Congressman Sol Bloom.

Mr. FLANAGAN. Now, I have here a letter, undated, but there is an envelope attached to it, under date of September 25, 1947. The envelope is addressed to you. It is unsigned.

And I will show you this copy and ask you if that is not a letter that you received from Meyerstein.

Mr. MARTINEZ-LOCAYO. The letter is addressed to Dr. Mariano Arguello; with a copy sent to me.

Mr. FLANAGAN. And this is the copy that you received?

Mr. MARTINEZ-LOCAYO. And I kept the envelope because it didn't have any date. It says "September, 1947." So I kept the envelope for records.

Mr. FLANAGAN. Without reading this letter, because we will place it in the record, this is from Meyerstein to Arguello, a copy of which was sent to Mr. Locayo.

Mr. MARTINEZ-LOCAYO. The letter was sent to Nicaragua to Arguello.

Mr. FLANAGAN. We will place this in the record.

There is one thing I want to ask you. The fourth paragraph in this letter says this:

It appears that futile and improper methods are being pursued to obtain recognition with negligible results.

What is he talking about when he refers to "futile and improper methods"?

Mr. MARTINEZ-LOCAYO. I don't know.

Mr. FLANAGAN. Had you told Mr. Meyerstein, or had Dr. Vargas told him—

Mr. MARTINEZ-LOCAYO. Dr. Vargas didn't see Meyerstein because he was on vacation.

Mr. FLANAGAN. Then you don't know what he is talking about when he speaks about improper methods being used?

Mr. MARTINEZ-LOCAYO. I don't know what he is talking about. May I say something else?

Mr. FLANAGAN. Go ahead.

Mr. MARTINEZ-LOCAYO. The last time I saw Meyerstein was in May 1948.

Mr. FLANAGAN. At that time did you discuss with him the fact that all this went on?

Mr. MARTINEZ-LOCAYO. Nothing. In May 1948, just before I left for California.

Mr. FLANAGAN. Now, following your conference with Dr. Vargas in New York, what next happened in this problem?

Mr. MARTINEZ-LOCAYO. Well, Dr. Vargas went back to Nicaragua, and I was kept completely on the side, you know, on this matter. I never heard a thing about it. Then the Rio de Janeiro Conference came.

Mr. FLANAGAN. When was that?

Mr. MARTINEZ-LOCAYO. I believe it was late in August 1947. I am not sure about the date. And Nicaragua was not admitted. That was a Pan-American Conference. Nicaragua was not admitted. And Sevilla-Sacasa was a member of the delegation. Then Sevilla-Sacasa came back to the United States, on or about the 10th or 11th or 13th, or in the first week of September 1947. He went to Washington. He came back to New York the night before the open-

ing of the General Assembly session, that started in September 1947. He asked me to present the issues for the Nicaraguan delegation as he did not want to have another turn-down, you know, as he had it in Rio de Janeiro. So I presented the credentials, and everything went nice and smooth, no troubles.

When I went and informed him that we were seated and recognized, he was kind of amazed and surprised, and at the same time, you know, happy. He said, "That gives me a little idea"—after I explained the point, you know, why we were accepted. Because the United Nations chapter said, you know, that the United Nations can not interfere in the internal affairs of the nations that form this organization.

We never discussed about recognition. He never mentioned anything about recognition. On or about the 15th of November 1947, riding in my own car—

Mr. FLANAGAN. Where was this?

Mr. MARTINEZ-LOCAYO. In New York, riding from Lake Success to the Belmont Plaza. I was driving to the Belmont Plaza Hotel. He told me that we don't have to worry about the recognition anymore, that he has been working an idea to have the Pan-American Union recognize the government of Nicaragua, having something similar to the United Nations chapter, to recognize the government as a fact, as they call it. And a couple of very dear friends of his, William Dawson—

Mr. FLANAGAN. Was he in the State Department at that time?

Mr. MARTINEZ-LOCAYO. I don't know. William Dawson and a Daniels, Paul Clement Daniels.

Mr. FLANAGAN. At that time was he in the State Department?

Mr. MARTINEZ-LOCAYO. I believe so. They were helping him to draft a resolution to be presented in the Bogota conference.

Mr. FLANAGAN. Now, Ambassador Sevilla-Sacasa at this time told you that William Dawson and Paul Daniels of the State Department were assisting him in drafting a resolution?

Mr. MARTINEZ-LOCAYO. He mentioned Dawson and Daniels.

Mr. FLANAGAN. Is that a normal way to do it, to get two people that are not in your own government but in a foreign government to draft a resolution for you?

Mr. MARTINEZ-LOCAYO. I doubt it. I don't believe it is a proper way. Besides that, you know, not having recognition Sevilla-Sacasa was not recognized, and therefore he cannot approach and he cannot walk into the State Department.

Mr. FLANAGAN. But he indicated that he had worked it out with these two?

Mr. MARTINEZ-LOCAYO. With these two friends of his. He mentioned Dawson and Daniels. Everything was going to be all right when the conference in Bogota becomes a law for the American nations.

A few days later, he asked me to go to Washington with him—this was in New York—and he wanted me to handle \$150,000 to a certain attorney's office in Washington.

Mr. FLANAGAN. He wanted you to take \$150,000 to a certain attorney in Washington?

Mr. MARTINEZ-LOCAYO. To a certain attorney in Washington who acted as the in-between man or the contact man working on the recognition.

Mr. FLANAGAN. The contact man between whom?

Mr. MARTINEZ-LOCAYO. He never mentioned.

Mr. FLANAGAN. Did he indicate between whom?

Mr. MARTINEZ-LOCAYO. No. The contact man. The in-between man.

Mr. FLANAGAN. Would he be the contact man between Sevilla-Sacasa and the State Department?

Mr. MARTINEZ-LOCAYO. I don't know.

Mr. FLANAGAN. What did you gather from that?

Mr. MARTINEZ-LOCAYO. I answered immediately, "I won't accept that invitation, because I don't believe in bribery."

Mr. FLANAGAN. Then you thought he was going to bribe someone?

Mr. MARTINEZ-LOCAYO. I answered it that way. It came from my heart.

Mr. FLANAGAN. Who was the lawyer?

Mr. MARTINEZ-LOCAYO. I didn't know.

Mr. FLANAGAN. Did he ever mention the name of the lawyer?

Mr. MARTINEZ-LOCAYO. No, he just said, "I will tell you where to go in Washington," and handed the \$150,000. He insisted. He said, "Don't be afraid. You will be covered by diplomatic immunity."

Mr. FLANAGAN. In other words, he said you would be covered by diplomatic immunity. And didn't that indicate to you there was something illegal about the whole thing?

Mr. MARTINEZ-LOCAYO. That is why I answered him no.

Then he suggested if I don't want to go to Washington, I should post \$150,000 in my bank account and give him a blank check for \$150,000. And I answered him, "What do you think I am? Either you are a jackass or you think I am a jackass. I would never do such a thing," I said.

"I have been in the United States previous to my appointment as consul general, and I want to be in the United States as long as I can, and I don't want to have any tales after I leave the diplomatic arena, and I want to enjoy life with my clean conscience." He got awful mad at me.

Mr. FLANAGAN. What did he say?

Mr. MARTINEZ-LOCAYO. Well, he said, "If you do this, you will be permanent delegate to the UN Assembly."

Mr. FLANAGAN. At the UN?

Mr. MARTINEZ-LOCAYO. At the UN. I said, "No. Thank you very much." He left. He went to Washington. He came back to New York.

On the very same session when the vote was cast for the partition of Palestine, the very same session, at the General Assembly meeting in Flushing Meadows, he came to me, and he say, "Do you know anything about a letter written by Meyerstein to Arguello-Vargas?"

Mr. FLANAGAN. That is the letter we already put in the record, the undated letter?

Mr. MARTINEZ-LOCAYO. Yes; in which he suggests that "You are the proper person to get the recognition of the Nicaraguan govern-

ment." I say, "I have a copy. And I will gladly show it to you, because I have no objection whatsoever."

He say, "I have the original in my hands already, and you will pay for it." I kept quiet. I didn't say a word. But after that session, I kissed goodbye to my desk at the United Nations. I was pretty sure, you know, that things were getting tough.

Then, you know, he started, through his wife, to get me out of the service. And Somoza always backed me, saying I was on the job and I have played very honest for nearly twelve years, that he has nothing against me. And he insist then I should be fired, through Sevilla-Sacasa's wife. Things continue, and they even refused me a right to look at the report, being a delegate of Nicaragua to the United States, to see the report he wrote about the United States—being a delegate. And I have a letter and can prove you that—signed by the secretary of Sevilla-Sacasa to my secretary. So he was undermining my own office.

Mr. FLANAGAN. You don't need to read it. Just explain or paraphrase it.

Mr. MARTINEZ-LOCAYO. It is from the secretary of Sevilla-Sacasa in Washington to my secretary in New York.

Mr. FLANAGAN. What is the date?

Mr. MARTINEZ-LOCAYO. January 14, 1948. He gives instructions there to prepare the final report about the General Assembly Conference in regard to the question of Palestine. The ambassador requests that it be in complete privacy and that no one should know or should see it.

"You are to work it after office hours and keep it away from Martinez-Locayo"—from me. "The situation between him"—me, you know—"and the ambassador continues as you know it."

Mr. FLANAGAN. Now, how long after that did you leave the service of your government?

Mr. MARTINEZ-LOCAYO. I receive a cablegram from the government accepting my resignation as consul general in New York on the 5th of February 1948, and informing me that they have a good position in Nicaragua. I answered it immediately, asking for instructions as to who should handle the office, and I was not going back to Nicaragua, and I was not accepting any other kind of position. Also I say, "For nearly twelve years I have been a consul general of Nicaragua, and my only business has been the consulate and the Nicaraguan government officials' affairs. I have never been mixing in any business clean or dirty. Now that I am quitting this position, I am not going to be mixing in any politics, and I am going to dedicate my time to making an honest living, working in whatever I find. And this is the first time that I have discussed politics since 1948."

Mr. FLANAGAN. In November, when Sevilla-Sacasa asked you about whether you had put this \$150,000 in your bank account, did he indicate that he had the money with him?

Mr. MARTINEZ-LOCAYO. Well, I imagine so, because he invited me to come to Washington and handle the \$150,000.

Mr. FLANAGAN. Did he say how he had it, in cash or check?

Mr. MARTINEZ-LOCAYO. No.

Mr. FLANAGAN. How would he be likely to get that much money up from Nicaragua?

Mr. MARTINEZ-LOCAYO. Quite often deposits were sent to the United States banks. As a matter of fact, the United States government should have a law against gangsters of Latin America depositing, you know, huge quantities of money in the American banks.

Mr. FLANAGAN. How do you know he ever deposited huge quantities?

Mr. MARTINEZ-LOCAYO. Because I made several deposits for Somoza, and one of the deposits I made for Somoza was at the Chase National Bank, at the Rockefeller Branch, on or about the 7th of October 1946.

Mr. SHERIDAN. How much was that?

Mr. MARTINEZ-LOCAYO. Close to \$290,000, one single deposit. And on the same day, I also opened an account for Somoza's wife at the Chemical Bank and Trust Company, Rockefeller Center, for \$11,000; almost \$300,000, one single deposit.

Mr. FLANAGAN. What name is his account in?

Mr. MARTINEZ-LOCAYO. A. Somoza, Rockefeller Center. It was opened by me. And the man who opened the account was Mr. James Rogers, and the one who opened the account for Somoza's wife, Salvadora D. de Somoza, S-a-l-v-a-d-o-r-a D. d-e S-o-m-o-s-a. The man who opened that account at the bank was a John V. Miller.

Mr. FLANAGAN. Did Sevilla-Sacasa have accounts here in the United States?

Mr. MARTINEZ-LOCAYO. He has.

Mr. FLANAGAN. Where does he have accounts?

Mr. MARTINEZ-LOCAYO. To the best of my knowledge, at the Riggs National Bank in Dupont Circle. I don't know if he carries any other accounts.

Mr. FLANAGAN. Do you think if he was handling this \$150,000 he would have put it in his own account after what he told you?

Mr. MARTINEZ-LOCAYO. I doubt it. Because he was afraid because he did not have any official, direct official recognition, from the United States government, at that time.

Mr. FLANAGAN. In other words, he did not enjoy the diplomatic immunity that you then enjoyed?

Mr. MARTINEZ-LOCAYO. I was a consul general, and I never lost my recognition as a consular official. Because a consular official is not a diplomat. He is a business representative in a country dealing with the business and not with the diplomatic affairs.

Mr. FLANAGAN. You mentioned the fact or testified to the fact that he wanted you to bring this money to a lawyer.

Mr. MARTINEZ-LOCAYO. Yes, sir.

Mr. FLANAGAN. Did you ever know any lawyers that worked for Sevilla-Sacasa?

Mr. MARTINEZ-LOCAYO. Never met any of them.

Mr. FLANAGAN. Did you ever know any of them?

Mr. MARTINEZ-LOCAYO. No, sir. He keeps things very quiet. Whatever goes on in the Nicaraguan Embassy has been a secret.

Mr. FLANAGAN. Based on your knowledge of Sevilla-Sacasa, do you believe he would be capable of bribing someone, that he is that type of man?

Mr. MARTINEZ-LOCAYO. He is, by all means.

Mr. FLANAGAN. Why do you say that?

Mr. MARTINEZ-LOCAYO. Because that is very common with a government that doesn't have, you know, the backing of its people. They have to buy the good will.

Mr. FLANAGAN. Did you ever see him do anything that indicated that he was not a man of honor and integrity?

Mr. MARTINEZ-LOCAYO. Well, I have been away from Nicaragua many times, but from what I saw here in the United States I didn't like it. I would never agree with him.

Mr. FLANAGAN. Do you know of one occasion when he brought some jewels into this country?

Mr. MARTINEZ-LOCAYO. I certainly did.

Mr. FLANAGAN. Will you tell us that story?

Mr. MARTINEZ-LOCAYO. Certainly. I hope I will be protected.

When he came from the Rio de Janeiro Conference, his wife was vacationing some place in Atlantic City.

Mr. FLANAGAN. This was in August?

Mr. MARTINEZ-LOCAYO. August of 1947. And she phoned several times at my house and office and questioned would I meet Sevilla-Sacasa at the airport. I met him at the airport.

Mr. FLANAGAN. At what airport?

Mr. MARTINEZ-LOCAYO. The LaGuardia International Airport. A couple of hours later or an hour later, he changed planes, and he went to Washington. He never mentioned anything about any jewelry at all.

Some time during October or November, he offered me a little business. He say, "I have some jewelry that I want to sell."

Mr. FLANAGAN. Who said that?

Mr. MARTINEZ-LOCAYO. Sevilla-Sacasa. "But New York is a better market than Washington. How would you like to go fifty-fifty with me?" Either he wanted to put me on the spot or wanted to have me, you know, for something. My answer was, "Once before we had a consul general in New York, married to a sister to the wife of Somoza, who did something similar. And a lot of people were involved in that, including Jack Benny."

You remember that case? So I said, "No monkey business with me or with the Nicaraguan office while I am there."

After we got into this, he got, you know, a little disappointed at the way I was acting, you see. So I saw it was very good idea to establish a record that he owns that jewelry. But he never mentioned that before. So he mentioned to me that he has quite a number of pieces. I said, "But how can we quote the prices?" So he brought one quart of what he has.

Mr. FLANAGAN. One quart?

Mr. MARTINEZ-LOCAYO. No, one quarter of the lot he has.

Mr. SHERIDAN. Did he say where he got this jewelry?

Mr. MARTINEZ-LOCAYO. Just a second, please. He made four different lots. And he brought it to New York.

Mr. FLANAGAN. He brought one quarter to New York?

Mr. MARTINEZ-LOCAYO. To New York. And he said, "Here they are." So I say, "Why do we not do something for your safety? Why do we not appraise it?" I wanted to have a record, you know, of this jewelry. "We appraise it if you take charge of it," he said.

I said, "Let's go together." I called Tiffany. I wanted, you know, a reliable firm to appraise the jewels. Then we went to James Ackerson.

Mr. FLANAGAN. James what?

Mr. MARTINEZ-LOCAYO. James Ackerson. That is the only record I kept on that, you know. That is 745 Fifth Avenue, Eldorado 5-4025.

So when he got there, I told the man in charge, "I am just here relating what this man has to say." He look at me, astonished, you know.

Mr. FLANAGAN. Who did?

Mr. MARTINEZ-LOCAYO. Sevilla-Sacasa.

Mr. FLANAGAN. Why was he astonished?

Mr. MARTINEZ-LOCAYO. Because he wanted me to face the situation. So when we got there, I said, "May I have your card?" He said, "I am here with the understanding you will face the situation." I said, "You have been believing I am a dumbbell. But now I have you on this spot, and you can't get out from here."

So he wanted to know the price of that. When he opens up, I saw most were aquamarines, some bracelets and necklaces, things like that, you know. And I say, "Also have it insured" so we can have an extra record, for the insurance. And I said "Now will you sign that you brought this jewelry?" And he signed the responsibility.

When he got out, my God, you know, he was so mad at me!

Mr. FLANAGAN. How such was the jewelry appraised for?

Mr. MARTINEZ-LOCAYO. I wanted to get to that point. When we got out, he looked at me. He said, "I never expected this from you." I said, "This is the record I have wanted. You want to have me involved in something dirty. Now I have the record, not in my own handwriting but in somebody else's handwriting."

He says, "Suppose it is for insurance." I say, "The brokers take care of that. You don't have to go so far away, you know, to have insurance." And I say, "From now on, I don't want to see that jewelry again." So he went over and picked it up himself.

Mr. FLANAGAN. How much was it worth?

Mr. MARTINEZ-LOCAYO. I don't know.

Mr. FLANAGAN. How much was it appraised at?

Mr. MARTINEZ-LOCAYO. They were supposed to give him the appraisal when the jewelry was——

Mr. FLANAGAN. Where did he get it? Where did he bring it from?

Mr. MARTINEZ-LOCAYO. Well, the jewelry, if you see the records—you will see that that jewelry, you know, is the typical Brazilian jewelry. The aquamarines are very famous in Brazil.

Mr. FLANAGAN. In other words, you think he brought it up when he came back from Rio de Janeiro?

Mr. MARTINEZ-LOCAYO. I am pretty sure.

Mr. SHERIDAN. Did he tell you how much it was worth?

Mr. MARTINEZ-LOCAYO. He told him the whole lot cost him \$7,000, that they were very cheap in Rio de Janeiro. He mentioned that to me; and that there was a good profit on it.

Mr. FLANAGAN. Do you think he smuggled it in?

Mr. MARTINEZ-LOCAYO. Well, he was traveling under a diplomatic passport as a United Nations representative.

The CHAIRMAN. In other words, apparently he bought it down in Brazil, where it was cheap, and brought it into this country?

Mr. MARTINEZ-LOCAYO. Brought it into this country. Now, that is very easy to check up, you see, with the Customs authorities.

Mr. FLANAGAN. I have no other questions.

The CHAIRMAN. Here is the only thing I would like to say. I think Mr. Martinez-Locayo should have a chance to go over this record and cut out anything he feels might endanger him or his family. Even though we promised to keep this completely secret, if we give it to the State Department we never know but what someone over there, you see, will hand a copy of this over to the ambassador. I want to be completely honest with you, now.

So I think if there is any part of this that Mr. Martinez-Locayo would feel he does not want in this record, that might ultimately find its way down to Nicaragua, we can not guarantee it after it leaves our possession and goes over to the State Department, and I think he should have an absolute right to go over it and cut out what he wants to.

Here is what we had in mind doing, in no way at all making public the fact that you are here, but if we want this checked on we have got to do it through the State Department. And as I say, I do not have complete faith in everyone over in that State Department yet. It is entirely possible that one of them might get this record and make a copy of it, and two weeks from now it might be in the hands of Somoza. So I do not want to break faith with you in this at all.

Mr. MARTINEZ-LOCAYO. Thank you. The fact that I am here, even that I have come, you know, blind-folded, and haven't spoken a word—if the government of Nicaragua knows that I came to Washington especially to see you, and you don't like monkey business, it will put me in the spot. Nobody knows but you and my wife that I am here. That is why, you know, I asked Mr. Sheridan. Because there are several Nicaraguans here in Washington. I just made a special trip to give you this information in a very friendly way to the best of my knowledge, but at the same time I don't want my family to pay for it.

But I make a suggestion. Why not, as a matter of investigation, without mentioning names, write to James Ackerson and get a copy of that thing, you know, on Sevilla-Sacasa. It was during either late October or early November 1947. And then you can ask the State Department, you see, why that valuation.

[Whereupon, at 11:30 a.m., Monday, July 13, 1953, the hearing was recessed, to the call of the Chair.]



## INTERNAL REVENUE

[EDITOR'S NOTE.—President Eisenhower appointed T. Coleman Andrews (1899–1983) as Commissioner of Internal Revenue in 1953. Andrews was the first certified public accountant to hold the post. Among his initiatives was “Operation Snoop,” by which revenue agents went door-to-door in search of tax evaders. Andrews eventually concluded that federal taxes were too high and resigned in 1955, running for president the following year on the Independent States’ Rights ticket.

The Senate Rules Committee had previously investigated allegations of irregularities in Senator McCarthy’s federal income taxes and the Internal Revenue Service audited his returns. After the 1952 election, Senator Carl T. Hayden, Democrat of Arizona, had encouraged Andrews to reopen the investigation of McCarthy’s returns, but opposition from Treasury Secretary George M. Humphrey blocked the probe. Andrews did not testify in public session.]

FRIDAY, JULY 31, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 11:00 a.m., in room 357 of the Senate Office Building, Senator Joseph R. McCarthy, chairman, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Karl E. Mundt, Republican, South Dakota.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Ruth Young Watt, chief clerk; Maurice Joyce, Senate Appropriations Committee.

### TESTIMONY OF T. COLEMAN ANDREWS, COMMISSIONER, BUREAU OF INTERNAL REVENUE

The CHAIRMAN. We invited Mr. Andrews down here to discuss in general terms the matters that we might go into concerning the alleged fraud and corruption in the department before he took over.

Incidentally, we have a hard and fast rule that when senators are present everyone gets sworn who comes before the committee. If you have no objection—

Mr. ANDREWS. I have no objection.

The CHAIRMAN. Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ANDREWS. I do.

The CHAIRMAN. We have got a number of cases that look extremely interesting, but rather than go into individual cases, perhaps it might be a good idea for Mr. Andrews to designate someone the committee could contact. What do you think, Frank?

Mr. CARR. I think that would be very helpful.

Mr. JOYCE. Would your chief of intelligence division be involved with this?

Mr. ANDREWS. Well, the cases you are talking about would not be intelligence cases. Some of them might be ordinary cases settled in the course of discussion of a disagreement with the taxpayer.

I think the best thing for you to do would be, and it won't be any imposition, to let me know what cases you want, and I will do what is necessary to see that you get complete cooperation from us.

I might say from my point of view, anybody in the bureau now, if anybody is still in the bureau who participated in improper settlement in the past, I, perhaps, am just as interested in knowing it as you are.

The CHAIRMAN. I think most likely those 161, or how many resigned, they were thorough in cleaning it out. I am inclined to think from preliminary check, some of those cases you find unlimited graft and corruption prior to your administration. I hope there is none going on now.

One thing we want to be very careful about is not to give your administration the blame for what has gone on. I know that will be easy to occur in the mind of the public. We are talking about what happened a year ago.

Mr. ANDREWS. The situation on that is this, Senator. I have to make a choice whether I am going forward or go back and review the past. The ideal thing, of course, would be to strike a happy balance between the two, but we have so many problems of administrative and organizational character to deal with that we frankly concentrated on forward-looking things and from my point of view, it would help us considerably for a committee of Congress to investigate these cases.

If they find that they were improperly handled and people are still there who participated in that improper handling, then I will be in a position to make proper disposition. The only risk I see, and I think I have to face up to, someone says, "Why hasn't Andrews gotten rid of these people?" The answer is Andrews hasn't had the time to convert his shop into an investigating unit entirely to neglect current operations. We have to allow the committee to dig these things out. There will be no lack of willingness or lack of speed in disposing of any situation that is not right. After all the thing we have got to sell is integrity. If we don't produce, then this administration will have failed utterly.

Senator MUNDT. I am convinced that we are losing a lot of tax that we should collect. We have got to have restoration of confidence in the integrity of the tax collecting machinery. Those of us who know Mr. Andrews' sponsor, Harry Byrd, know that he is a white knight on a white horse. We want the country to know that those who have gotten by with mayhem and murder in the past administration are going to be exposed.

Mr. ANDREWS. Senator, may I say one thing. I would like to explain something we are now doing which I think is very important to what you are addressing yourself. This is just to be shown to set the record straight. I am sure Senator Byrd would want me to say it. He didn't put me in this job.

Senator MUNDT. You came highly recommended.

Mr. ANDREWS. I enjoy his good opinion and am proud of it.

Now, as to this other thing, I think you will find that there is a resurgent, a very marked, notable resurgent return of faith in the

bureau. We see it everyday in correspondence we are getting. When I first went in we never received a letter except one of condemnation. Now, we rarely receive a letter of condemnation, and we are getting an increasing number of complimentary letters on what we are doing, which I like to see.

In addition to that we are seeing a return of pride on the part of revenue agents in the service which they had lost. I think that is extremely important. I have been going around the country meeting revenue officials and addressing revenue employees, shaking hands with them, talking to them, addressing public meetings to tell the public what we are doing, which is all helpful but only a drop in the bucket when you think there are 155 million people in this country and I am only one man.

The other thing I want to tell you about, the current provision in the law, Section 3600, which requires that the collectors shall periodically canvass their areas and be sure that everybody is filing returns that should be filing returns.

Well, when I came into the office, I know from my own experience, thirty years as an enrollee of the Treasury Department, that there were some people who just weren't even filing returns at all. I, very soon after I took office, inquired. Private studies have been made to find out what the situation is. We found in one situation that 14 percent of the people in the area we were studying were not filing one or more or several returns they were required to file. Following that we called attention of the region commissioners to the situation and in various parts of the country they are going on now, right now they are canvassing under Section 3600. One of the most intensive is being made in the New England area. It is hot in the newspaper at the present time. I have had several phone calls in the last two or three days.

Of course, some people will get the wrong idea and think we are just, snooping. We are not looking under anybody's rug, or looking behind pictures, or bureau drawers, and the results, up to this time, have been good, gratifying, and public reaction is good. The average person says, "My gosh, we think this is fine. We pay our taxes and we'd like to be sure everybody else is paying theirs." On the other hand, some people think it is a snooping type of operation. They don't realize we are acting strictly in accordance with the mandate of law, which gives us considerable power in that respect. We are trying to use that power in a reasonable, decent sort of way. Of course, if we find people evading tax, we take proper action. If it is a matter of ignorance or oversight we deal with them in a manner that a situation of that type requires. I mentioned that because you are going to hear more about it. It is going to be put into effect all over the country. There may be some criticism. Generally, if we go by what happened thus far, the reaction will be all right.

Senator MUNDT. This is going to be a sustaining and valid machine which simply enforces the law and tries to work with honest taxpayers helping them make honest returns, and dishonest persons we would like to have the chips fall where they are found.

Mr. ANDREWS. It is going to fifty-four thousand employees. There will be a great many engaged in this effort. It is not a thing we are trying to offer minutely. Fifty-four thousand people wouldn't be

enough to make a complete canvass. There has been an increasing number of people who will call in and say, "How do I go about filing my returns? I am delinquent and would like to get it straightened out." A lot of people have already got their papers ready to show us that they paid their taxes. They are cooperating nicely.

Now, out of fifty-four thousand people you will get one with a policeman complex, which incident will not be pleasant and I can assure you we will deal with those properly. We will keep as close control on it as we can.

The difficulties of running the Revenue Service Department is a terrific one when you stop to consider that we have fifty-four thousand people spread out over the entire United States and possessions and incidental set-ups, with over fourteen hundred offices.

It is a terrific organization and a tremendous job. I hope we are doing it intelligently. I believe we are, but being human, we are going to make mistakes that we are going to have to correct—change our directives or methods. From time to time we will see things develop which are not just what ought to be done. We have to learn to some extent by experience. No matter how much contact we have had, there is always today to be considered and today's conditions.

Senator MUNDT. On these specific cases referred to and which we have been studying, it will be your recommendation that Mr. Carr or whoever represents the staff in this particular problem will consult with you personally about them rather than have some member of your staff assigned.

Mr. ANDREWS. Initially at any rate until we get a pattern established and then we might designate somebody in the organization. You won't be delayed; just let me know what you want and I will do my best to get it to you promptly.

Senator MUNDT. Do you have any questions, Mr. Carr?

Mr. CARR. In connection with some of these cases that we have looked at just briefly, there appears to be a few of them, not a great many of them, but there appears to be a few of them which your bureau has recommended prosecutive action that has been declined. Is that a thing that you run across frequently? In other words, you recommend prosecution and it is declined in the department. Is there a good deal of that?

Mr. ANDREWS. No, I will tell you what the story on that is, as I understand it. An average tax case where it gets to the point prosecution is recommended or not recommended has gone through a number of hands in the bureau or rather in the Internal Revenue Service. We don't call it the bureau anymore. By the time it gets to the point where a decision must be made as to prosecution and non-prosecution, we are usually pretty near right as to whether the case should be prosecuted. Consequently, those sent to Justice with that recommendation, there are relatively few that are not prosecuted. Justice sometimes, however, takes a look and if they don't think we can win this case and we would be foolish to try to prosecute it, we listen to what they have to say. Maybe we agree or maybe we don't. I don't know.

Senator MUNDT. If you do not, have you any other further recourse?

Mr. ANDREWS. No, what we can do about the question of prosecution is up to the Justice Department. We leave it to them.

There is always in civil matters, if we have to sue on civil employee collection, that is done by Justice and I don't understand that there has ever been any serious difficulty with respect to whether Justice would or would not undertake action if we would ask them. Generally, through sifting, when we do recommend a case for prosecution it has been thoroughly gone over by us and we think the case should be prosecuted. I don't recommend so many that it would make a difference in that respect.

We try to be realistic as to whether a case should be prosecuted or whether it shouldn't. Often you will find yourself in this position and this is a very troublesome problem to us. There is 50 percent for fraud. Well, that penalty can also be inserted in cases where there is no prosecution and when it is, there frequently arises, the question of whether the assertion of the fraud penalty is in order, and it is difficult to determine sometimes whether a taxpayer should be assessed with that penalty or just negative penalty. That kind of thing pops up all the time, It is troublesome because it is hard to tell. The general rule as I understand it from my point of view, is that criminal fraud is fraud that you think is sufficient evidence that you would be able to obtain an indictment. Civil fraud is fraud of the type where the preponderance of evidence points to fraud but is not sufficient to obtain an indictment. That is a fine distinction to draw as I am sure you will understand, all being lawyers. Frankly, it puts me in a very difficult position, but I am not complaining. It is difficult to know whether a man has really tried to give you the business or whether he hasn't.

Senator MUNDT. We senators are in the same position when we vote on the floor. When you have something that is 49 percent wrong and 51 percent right, how are you going to vote.

Mr. ANDREWS. That is right. It is a question of accessing the degree of intention or the part of the taxpayer. Of course, that is not simple.

The CHAIRMAN. It leaves you in a position for which you can be criticized either way. Let's say the preponderance of evidence shows fraud. To the average individual, a criminal case must be beyond a reasonable doubt. It could be very easy to embarrass a collector by taking up a case where you are pretty sure of fraud but couldn't prove it.

Mr. ANDREWS. Senator, there you put your hand on the very sensitive aspect of the commission's activities and its duties.

I am frequently confronted with the decision which no matter how I make it, I am going to be confronted with criticism. For instance, these fraud penalty problems are one of them. Closing agreements is another; regulation is another. We have before us at the moment, for instance, a very extremely important case from a taxpayer point of view, involving one of the very largest companies of American. Now, if I decided in favor of closing the agreement in favor of the taxpayer, somebody will be criticizing me and because of the character of the company. Well, frankly, my attitude towards that is very simple.

A man in my position has got to be prepared to make those decisions and willing to make them. I am willing to make them be-

cause I know I will not do anything wrong. Any decision I make I am perfectly willing for anybody to investigate it all they want.

The CHAIRMAN. In that connection every member of the committee feels you are doing a good job and we are not going to do anything in that direction. We are not going to start digging into cases of judgment on your part. We want to get into the cases of clear-cut, all-out dishonesty and corruption that apparently has been rambling in the past.

Senator MUNDT. The mere fact that there was a wholesale exodus of careless Internal Revenue collectors which, as far as I know, nobody completed the job of finding out how far they did go, which left a lot of lingering doubts in the minds of the people. We think that could be rescued by a well conducted, reasonable, factual, investigation. The facts being what they are we are probably going to find one or two popping up again.

Mr. ANDREWS. When we find them, they will go.

Senator MUNDT. That is all expected. We can't expect of fifty-four thousand—you can't guarantee every one of them.

Mr. ANDREWS. Senator, every now and then we have a fellow that gets off the bean. Recently a fellow undertook to shakedown a taxpayer up in the east and we dealt with that promptly and he is now already in jail.

You are going to have that. Let's not kid ourselves, but I have a very simple philosophy about it. We can't have a Revenue Service, which as a service, is honest and above board unless there is absolute and unquestionable integrity at the top.

That is my philosophy and I have told that to my top people, and I have told them whether they like it or not they live in a goldfish bowl and they have got to be beyond reproach. I am determined we will have that kind of administration. I think we have got people that will provide it.

The CHAIRMAN. I think it may be well while the staff is here to make this suggestion. Where you find someone in the present organization who appears to be guilty of wrong or fraud in the past, it would be well to handle that in executive session, give Mr. Andrews a chance to become familiar with it because I know, no matter how careful you are, you can't have that completely cleaned out in one or two years. I think we should be careful to dig out errors of the past, and anything that is going on now, that could be handled in executive session.

Frank, I don't mean we are going to cover anything up, [to Mr. Andrews] but I think first we should give all the information to you.

There is one question I have been asked to go into by one of the senators who heard you were coming over here today. He asked me to ask you these questions.

First, is it correct that the White House has contacted you or anyone else in Internal Revenue and asked for an investigation of the members of the committee?

Mr. ANDREWS. No, sir. There has been no request come down to me from the White House or Treasury or anybody else.

The CHAIRMAN. There has been no meeting of the cabinet members that they want to get stuff on somebody and some members of the committee they want to investigate?

Mr. ANDREWS. No, sir. I have heard of no such thing. Any action we take in examination of returns of any one member of this committee, or anyone else, is left entirely to the Commissioner of Internal Revenue.

The CHAIRMAN. Just so the record will be very clear, I can report back to the senator that you have positively stated that there has been no contact from anybody outside of the bureau, White House or otherwise, urging investigation of tax returns of any of the members of the committee?

Mr. ANDREWS. That is right, sir.

[Whereupon the hearing adjourned at 12:15 p.m.]



## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—Mary Stalcup Markward (1922–1972) operated undercover for the FBI from 1943 to 1950. The twenty-one-year-old wife of a soldier serving in Europe was working in a beauty parlor when the FBI asked her to join the Communist party in Washington, D.C. Markward advanced through the party ranks to become treasurer and membership director. She later testified in federal court and at numerous congressional committee hearings, including her public testimony before the subcommittee on August 17, 1953.

The two Government Printing Office (GPO) employees who testified in executive session on August 10, James B. Phillips (1920–1986) and Edward M. Rothschild (1911–1981), both worked in the bindery division. Phillips testified at a public hearing on August 17; and Rothschild on August 18. Esther Rothschild (1908–1993), who did not work for the government, testified in public on August 19, 1953.

Following this executive session, Senator McCarthy told reporters that the subcommittee had received evidence that a member of the Communist party had access to secret documents through the GPO, and described the new investigation as having “tremendously more important aspects” than the charges he had made against the information service. The chairman then made public portions of Edward Rothschild’s executive session testimony, but Rothschild’s attorney, Stanley Frosh, countered that the remarks had been “lifted from context” with “explanations cut off.” Concluding that the transcript had been altered, Frosh advised his clients to take the Fifth Amendment in order to avoid charges of perjury. When Rothschild declined even to acknowledge that he worked at the GPO, Senator McCarthy interpreted his actions as an admission of guilt: “Your refusal is telling the world that you have been stealing secrets, that you are a member of the party, that you have engaged in espionage.” The day after Edward Rothschild invoked the Fifth Amendment at the public hearing, the GPO suspended him without pay. He was later dismissed from government service but never prosecuted.]

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MONDAY, AUGUST 10, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:00 p.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Everett M. Dirksen, Republican, Illinois.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Richard O’Melia, general counsel, Committee on Government Operations; Karl Barslag, research director; Herbert Hawkins, investigator; Ruth Young Watt, chief clerk.

### TESTIMONY OF MARY S. MARKWARD

The CHAIRMAN. Mrs. Markward, do you solemnly swear that the testimony you are about to give in the matter now in hearing shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MARKWARD. I do.

The CHAIRMAN. I may say I read your testimony given before the House committee and feel you have performed a great service.

Mrs. MARKWARD. Thank you, sir.

Mr. COHN. Mrs. Markward, you joined the Communist party in cooperation with the Federal Bureau of Investigation. Is that correct?

Mrs. MARKWARD. That is right.

Mr. COHN. In 1943?

Mrs. MARKWARD. That is correct.

Mr. COHN. For how long a period of time?

Mrs. MARKWARD. I was active through October of 1949. My dues were paid through January of 1950.

Mr. COHN. During that time were you in touch with the FBI?

Mrs. MARKWARD. I was.

Mr. COHN. Furnishing them with information?

Mrs. MARKWARD. Correct.

Mr. COHN. Concerning the Communist conspiracy?

Mrs. MARKWARD. That is correct.

Mr. COHN. You joined the Communist party in cooperation with and at the request of the FBI?

Mrs. MARKWARD. That is right. After I was interviewed by an agent of the FBI, I joined the Communist party.

Mr. COHN. And since the time you ceased being active in the Communist party you have responded to the call of the Department of Justice and testified when you were subpoenaed and called on to do so concerning people you knew as Communists and concerning the operation of the Communist conspiracy?

Mrs. MARKWARD. I did.

Mr. COHN. You testified at Foley Square?

Mrs. MARKWARD. I did.

Mr. COHN. And the Smith Act trial, Department of Justice, Baltimore?

Mrs. MARKWARD. Correct.

Mr. COHN. Mrs. Markward, I would like to direct your attention to a woman—

Senator DIRKSEN. Where were your activities as a party member?

Mrs. MARKWARD. In Washington, D.C. Washington is part of the Maryland District so part of my activities had to do all over the state of Maryland and Washington, D.C., as well as the suburban areas of Virginia.

Senator DIRKSEN. Where did you attend meetings?

Mrs. MARKWARD. My club was in Washington, D.C. However, for about six months of 1949 I was active in the Virginia club.

Senator DIRKSEN. Generally, what was the nature of your activities?

Mrs. MARKWARD. I became a paid Communist party functionary in Washington, D.C. I was membership director and city treasurer after June of 1944. I was also on the district committee of the Communist party and from August of 1945 I was a member of the district committee of the Communist party and the district board.

Senator DIRKSEN. Among other things you recruited members and attended meetings?

Mrs. MARKWARD. That is right. As far as recruiting members, I did as little of that as possible. I wasn't interested in building up

the Communist party, but it was necessary to participate in those activities to a certain extent. I generally recruited persons who met with or cooperated with other Communists and who would have joined whether or not I recruited them.

Senator DIRKSEN. It was your job to go through the motion of recruiting. As far as you were concerned, you were not eager to recruit anyone but you had no choice but to carry out your duties and do the recruiting assigned to you.

Mrs. MARKWARD. That is correct.

Senator DIRKSEN. Were you suspected at any time?

Mrs. MARKWARD. I couldn't read the folks mind. I imagine at times we were all under suspicion. In my position I knew almost all of the party members in Washington. Every time someone came up they wondered who might have told on them, and guess they considered me among the persons who might have done that.

Senator DIRKSEN. But you were never under enough suspicion to be removed from any post of authority while you were in the party?

Mrs. MARKWARD. I was re-elected to the highest station in the District and Maryland as late as 1948. I was one of three people given special security information in the spring of 1949.

Senator DIRKSEN. I assume as a matter of course one would have to carry on a certain amount of defensive activity to keep covered. By that I mean the normal activities of the party to make it appear that you were——

Mrs. MARKWARD. I tried to be the best kind of a Communist they wanted anybody to be as far as appearances were concerned.

Mr. COHN. Now let me ask you this. Did you see a woman sitting in this room?

Mrs. MARKWARD. I did.

Mr. COHN. Could you identify her?

Mrs. MARKWARD. Mrs. Esther Rothschild.

Mr. COHN. Did you ever see Mrs. Esther Rothschild before you saw her in this room this afternoon?

Mrs. MARKWARD. Innumerable times.

Mr. COHN. Under what circumstances?

Mrs. MARKWARD. I met her as a member of one of the White Collar Clubs during the period——

Mr. COHN. White Collar Clubs of what?

Mrs. MARKWARD. The Communist party of the District of Columbia. I first met her during the period after the Communist party had changed its name and was known as the Communist Political Association.

Mr. COHN. That was during 1944?

Mrs. MARKWARD. That was during 1944.

Mr. COHN. You met her as a member?

Mrs. MARKWARD. That is correct.

Mr. COHN. Did you ever attend any meetings at which Mrs. Rothschild was present?

Mrs. MARKWARD. I attended meetings of the Thomas Jefferson Club; I also attended meetings where all persons present from the Communist Political Association of D.C.——

Mr. COHN. You say the Communist Political Association. That was the Communist party and at that time they changed the name from the Communist party to the Communist Political Association.

Mrs. MARKWARD. That is correct.

Mr. COHN. Do you remember where any of the meetings you attended with Mrs. Rothschild were held?

Mrs. MARKWARD. I remember specifically attending one in a room over the Superior Print Shop in the 600 block of Massachusetts Avenue. I attended another meeting at the home of John Anderson. His wife, I believe, owned a pharmacy in Washington and he was working with her. His home is near Glen Echo on Seminary Road, I believe. Those were the only meetings of that club. At a later date the Communist party re-formed and the Communist Political Association was abandoned.

I attended meetings at her home, Rothschild's home. This was not a club meeting as such. This was a meeting—she was secretary of her club, Gertrude Evans was chairman of that club, known at this time as the Civil Liberties or Civil Rights Club. Elizabeth Searle, who was—I believe at that time she was—administration secretary of the Communist party. I believe that was after William Taylor came to town. She had held the post of chairman until he came to town. This meeting could have taken place in 1946. The party didn't change its name until October 1945 in Washington.

Mr. COHN. Concerning this meeting in the Rothschild home, Mrs. Rothschild was an official of the Communist party?

Mrs. MARKWARD. She was secretary of the Civil Liberties Club of the Communist party of Washington, D.C.

Mr. COHN. And what were some of her duties?

Mrs. MARKWARD. Well, to see that the members of that club were in attendance at meetings; if they weren't there to check up, to see why they were not; check to see they paid their dues; check with the chairman to see that they carried out the required duties of their Communist party membership.

Mr. COHN. Would the Civil Liberties Club be properly described as a cell of the Communist party? Would you call that a cell meeting?

Mrs. MARKWARD. Well, they didn't use the term cell at that time, but I think it would be synonymous. At this period there were twelve or fourteen members of the club.

Mr. COHN. But no one except the members of the Communist party belong to the Civil Liberties Club?

Mrs. MARKWARD. That is correct.

Mr. COHN. That was definitely a Communist club?

Mrs. MARKWARD. Yes. It was a Communist club with a special security designation. It took a little more knowledge of the party to be trusted—for the Communists to trust each other well enough to be included in a club of that kind.

Mr. COHN. You say you attended meetings in the Rothschild home. Do you remember the approximate location?

Mrs. MARKWARD. To the best of my recollection it was Dix Street, N.E. I remember it was on the east side of Anacostia River, and south of Benning Road. That is my recollection of the street.

Senator DIRKSEN. Were you invited to those meetings?

Mrs. MARKWARD. That was a meeting which was arranged by Elizabeth Searle, who as I said, was an official of the Communist party, next above me among the functionaries. I was at that time working in the office of the Communist party as office functionary,

and I think it was arranged sometime while in the office; that we would have a meeting with the leadership of the club and arranged for the exact time.

Senator DIRKSEN. Was identification required?

Mrs. MARKWARD. We all knew each other very well. We didn't need that.

Mr. COHN. You talk about special security rating.

Mrs. MARKWARD. These were persons who either themselves were employed some place where they would have been fired had it been known they were members of the Communist party, or were working in a mass organization where they had a position of leadership and couldn't attain that or where it would be detrimental, or front organizations here if it were known they were leaders of the Communist party people wouldn't join it. Also in some cases where someone in their family was—for instance a husband or wife, if they were Communists they were kept in a security group.

The CHAIRMAN. Because of the position of the individual, his or hers or the position of some member of the family, it was very important to the Communist party that they remain definitely underground and not be known as a member of the party.

Mrs. MARKWARD. It applied to a member of the party that a member of the family was valuable to the Communist party. I mean Joe Doakes, and his brother-in-law was head of the American Legion Post, the brother-in-law didn't go along with party plans. They wouldn't care about the brother-in-law because they would use that to hurt that person, but someone where the brother-in-law was a Communist or close to the Communist party.

Mr. COHN. And one of those agencies for which they required this kind of protection was the U.S. government. In other words, if the person, him or herself, were sympathetic to the party or in the party, would that involve this?

Mrs. MARKWARD. To a certain extent. I would amend that a little, that only during the time of the Communist Political Association did they have a husband and wife a government employee to be in the open party, the White Collar Clubs of it. There came a time, for protective purposes, that someone in a government position, the party would strip them of formal membership so as not to embarrass them as such.

This was pointed out in reverse to me in my position as membership director. Chiefly through the fact that when a number of men who had been employed in the government, chiefly the Navy Yard, machinists, when they went in service a number of their wives transferred from the super security group into the White Collar groups, and when the husbands came out of service those were among the women who were required to drop party membership, on the surface at least, so it wouldn't embarrass their husbands.

Mr. COHN. Now, let's be specific. Do you know whether Mrs. Rothschild had any close relatives working in the government?

Mrs. MARKWARD. I knew her husband had been affiliated with the Government Printing Office.

Mr. COHN. By the way, did anything ever happen to make you believe that Mr. Rothschild was anything but sympathetic to the Communist party?

The CHAIRMAN. Let's put the question positively. Did you have anything happen to indicate that Mr. Rothschild was also a member of the party?

Mrs. MARKWARD. In the era in which I was active I didn't have any occasion to really know that he actually was a party member, because the party was careful not to have government employees identified as party members, but Esther was free to come to party meetings, do party work at her home. I was certainly under the feeling that the atmosphere was sympathetic to what she was doing.

The CHAIRMAN. Was Mr. Rothschild ever present when you attended a meeting?

Mrs. MARKWARD. He was not.

The CHAIRMAN. Your testimony is that you are not in a position to say "yes" or "no" as to whether he was a Communist, but in view of the fact Mrs. Rothschild did party work at home and freely came to the Communist party meetings, you would assume in the normal course that he must have known and must have been sympathetic to it?

Mrs. MARKWARD. That is correct.

Mr. COHN. Now, did there come a time in 1947 when a further party decision was made concerning people who had close relatives employed in the United States government?

Mrs. MARKWARD. Yes.

Mr. COHN. What was that about?

Mrs. MARKWARD. The decision was at that time after there had been some inquiries and investigations, etc., of Communists, that not only would there not be any Communists openly affiliated with the Communist party in Washington, but also any wife or husband of a government employee would be dropped from the rolls of the open party in Washington, D.C.

Mr. COHN. Mrs. Markward, your firm testimony is that Esther Rothschild, whom you have seen here in this room this afternoon, was in the Communist party with you, and, in fact, was secretary of the Civil Liberties Club of the Communist party; that you worked with her; attended meetings with her; observed her carry out the functions of the Communist party; and had knowledge of the fact that her husband was employed in the Government Printing Office.

Mrs. MARKWARD. That is correct.

The CHAIRMAN. Mrs. Markward, sit in the back and observe her so there will be no question. We appreciate your coming down here. I know it was an inconvenience.

**TESTIMONY OF EDWARD R. ROTHSCHILD (ACCOMPANIED BY HIS COUNSEL, STANLEY B. FROSH)**

The CHAIRMAN. Will you raise your right hand? In the matter now in hearing before this committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROTHSCHILD. I do.

The CHAIRMAN. Would counsel identify himself?

Mr. FROSH. My name is Stanley B. Frosh. I am a member of the Bar of the District of Columbia, State of Illinois and the State of Maryland.

The CHAIRMAN. You are practicing in Washington, D.C.?

Mr. FROSH. My office is in Washington, D.C., Investment Building.

The CHAIRMAN. Mr. Frosh, this is your first appearance before the committee so we would like to give you a quick run down on the rules of the committee insofar as counsel is concerned. Counsel is entitled to advise his client at any time he cares to. If a matter comes up of a serious nature and you want a private conference, we will try and get a private room. Other than advising your client and discussing matters with him, you are not allowed to take part in the proceedings.

The statement by counsel will not be received. If your client wants to make a statement he may make any statement he cares to make. I note in this you request to have witnesses called to contradict anything that is said here of a derogatory nature against Mr. Rothschild. Any witnesses that you suggest we call, we will be glad to call, either a witness you consider a friendly witness to him or if you think certain witnesses under cross-examination will be unfriendly and could give information clearing up any charges made against Mr. Rothschild, they will be called.

Normally, we don't advise clients in the presence of an attorney but since this is your first appearance, I would like to suggest to your client that he either tell the truth or refuse to answer. We have a great deal of material concerning Mr. Rothschild.

We have witnesses who come before this committee and assume they can get by with withholding the truth. This is a very, very unwise thing for them to do. He has a right to refuse to answer any question if he honestly thinks his answer will tend to incriminate him.

Mr. FROSH. May I interrupt and ask some questions?

The CHAIRMAN. Go ahead.

Mr. FROSH. First of all I want to know whether the transcript of testimony will be available to me.

The CHAIRMAN. It will be available for correction of any typographical errors or anything like that by your client. However, we do not, unless the transcript is made public, send it to you. You can have a private space to go over the record and correct any errors.

Mr. FROSH. In other words, it is the committee's procedure and ruling that a copy of this transcript may not be obtained by myself or Mr. Rothschild, because we do want to get such a copy and will pay for a copy.

The CHAIRMAN. Well, we haven't up until now. Once we give copies out it no longer is executive session. We have been very careful not to give the press evidence taken in executive session. However, this matter I consider to be of great importance to your client. I think we can make an exception here, Senator Dirksen, if he wants to purchase a copy of the transcript and gives us his firm assurance it will not be used until the entire transcript is made public by the committee.

Senator DIRKSEN. It will depend, I think, whether there are public hearings on the same subject matter. Unless there is, I don't

think a transcript should be permitted to leave possession of the committee. The public session will be elaborated on and that, of course, will become available.

The CHAIRMAN. For the time being, Mr. Frosh, the transcript will be available for complete, thorough examination by you in one of the committee rooms and we will decide later whether or not we will deviate from the usual rule and give you a transcript.

I might say, if no public hearings are held on this most likely we will furnish you with a transcript. I would say most likely we will in any event.

I say we undoubtedly will, but that ruling is not final until we take it up with the other senators. You will have completely free access to the transcripts in the committee room and complete privacy to go over that as much as you want.

Senator DIRKSEN. I think it should be made clear that it is usual after an executive session to have a public hearing which usually embraces the subject matter and a more amplified transcript with all the data becomes available. If transcripts of executive sessions are given out, it loses its executive character and then, of course, it can be used for any purposes beyond the control of the committee. It has been customary not to reveal anything from an executive transcript to anybody. It is not a matter revealed to the press or any public purpose whatsoever.

Mr. FROSH. Now, the question of witnesses. You indicated, Senator McCarthy, that any witnesses that we might want to be summoned in our behalf will be called. We have a great number of witnesses we want to have before this committee. We would prefer that these witnesses be before the committee at the same time Mr. and Mrs. Rothschild are here. I wonder if it would suit you gentlemen to give us perhaps a further date for even the testimony of Mr. and Mrs. Rothschild?

The CHAIRMAN. We would not allow other witnesses to attend sessions of Mr. Rothschild.

Mr. FROSH. But I mean during identical session of this committee.

The CHAIRMAN. We will continue the session and hear all of the witnesses. I assume it will take all afternoon to hear Mr. and Mrs. Rothschild.

If you want to give the names to counsel, if they want to appear without subpoena. You understand I can't call one hundred witnesses from Los Angeles. The committee couldn't afford it. Within reason we will try and call all your witnesses.

Mr. FROSH. You have indicated that those witnesses whom we feel we can elicit rebuttal testimony on cross-examination, we will have a right to summon these witnesses and they will be subject to cross-examination.

Will the committee advise us of the names of persons who have given testimony which is adverse to Mr. and Mrs. Rothschild so we may summon those people?

The CHAIRMAN. They will be summoned. They will be here.

Mr. FROSH. We want to be assured that those people are going to testify at a hearing during which time I am here and allowed to cross-examine.

The CHAIRMAN. You will not be allowed to cross-examine. You will be allowed to submit questions to the chairman or any member of the committee.

Mr. FROSH. Would those questions be asked by the chairman or persons conducting the hearing?

The CHAIRMAN. Normally, yes, unless the chairman considered the question irrelevant and had nothing to do with the matter.

Mr. FROSH. During the cross-examination of such witnesses would Mr. Rothschild and Mrs. Rothschild be present? Of course, if it is necessary in order to help me identify those witnesses if I can—

The CHAIRMAN. Yes.

Mr. FROSH. Again as to procedure and form, the questions that are asked either by the committee or by counsel for the committee, do those questions conform to the normal evidentiary requirements?

The CHAIRMAN. They must be material to the issues.

Mr. FROSH. And are we advised as to what the issues are?

Senator DIRKSEN. It is not a judiciary proceeding. Counsel tries to keep the questions relevant and germane and keep out evidence that is incompetent, irrelevant or immaterial to what is before us. The issue drawn will be very clear; that I think you will see as the investigation unfolds. The committee is not bound by evidentiary rules. If it were a judicial proceeding that would be true.

Mr. FROSH. You have indicated also that the statement I have submitted to Mr. Cohn and to the chairman is not to be received in evidence; therefore, I request that we be given time to revise the statement so instead of being placed in the third person, placed in the first persons and made by Mr. and Mrs. Rothschild.

The CHAIRMAN. We will give you as much time as you consider necessary.

Does that finish your questions?

Mr. FROSH. That is all I have at this point.

The CHAIRMAN. I might say we want you to feel perfectly free to ask questions on procedure.

Mr. Rothschild, you have been working in the government how long?

Mr. ROTHSCHILD. Since March 24, 1930. That is over twenty-three years.

The CHAIRMAN. Give us your full name.

Mr. ROTHSCHILD. Edward Meyer Rothschild.

The CHAIRMAN. And your wife's name?

Mr. ROTHSCHILD. Esther Brainin Rothschild. Brainin was her maiden name.

The CHAIRMAN. Mr. Rothschild, you have been working in the Government Printing Office during all that period of time, have you?

Mr. ROTHSCHILD. No, sir. I don't know how to say it. I was there before the war. I was gone for twenty-six months in the navy and then I went back there. I say I worked there twenty-three years or better as far as retirement and all is concerned I am carried on the rolls.

The CHAIRMAN. What branch of the navy?

Mr. ROTHSCHILD. When I left boot camp I came to the Hydrographic Office. As I understand it, at the time the Hydrographic Office moved to Suitland, Maryland, there was a big demand for skilled help and during my boot camp training, rather when it was just about over, I had orders to report to the Hydrographic Office. I worked there at the Hydrographic Office.

The CHAIRMAN. What kind of work?

Mr. ROTHSCHILD. I printed and folded them. There was a great deal of coded work, terrain charts and it was, I understand, pretty confidential, secret, top secret work.

The CHAIRMAN. In other words you were handling secret, top secret and confidential work.

Mr. ROTHSCHILD. No more than anyone else.

The CHAIRMAN. You volunteered for the navy?

Mr. ROTHSCHILD. No, the records won't show that. I had a youngster coming along. When my draft number came up I asked for a chance to wait for the youngster and the draft board was nice enough to do that. After the child was born I went down and requested it and they wouldn't accept me then.

The CHAIRMAN. How old were you then?

Mr. ROTHSCHILD. Thirty-two. By navy standards I was considered an old man when I got to boot camp.

The CHAIRMAN. Do you know how you happened to get assigned to the Hydrographic Office?

Mr. ROTHSCHILD. There were men working with me before that told me about it. Some of them came back to visit and mentioned the Hydrographic Office.

The CHAIRMAN. You applied for it?

Mr. ROTHSCHILD. Yes, in a manner of speaking. I understand that naval officers had come into the printing office, I think, I don't know for sure, looking for skilled help and finding out who was ready to leave.

The CHAIRMAN. Did you apply for this work?

Mr. ROTHSCHILD. They asked me what I would like to work at and I told them my trade, bookbinding. I was sent back to the barracks and then later received notice.

The CHAIRMAN. Now, at the Government Printing Office did you print material for the International Information Program?

Mr. ROTHSCHILD. I don't know. They probably do.

The CHAIRMAN. The Voice of America?

Mr. ROTHSCHILD. I don't know that for sure.

The CHAIRMAN. State Department?

Mr. ROTHSCHILD. Yes, State Department.

The CHAIRMAN. For the military establishments?

Mr. ROTHSCHILD. Yes.

The CHAIRMAN. Atomic Energy Commission?

Mr. ROTHSCHILD. I have seen the name around. By that I mean on work. We get a dummy and it is written on there what department or agency it is for.

The CHAIRMAN. Some of that material is classified secret, top secret and confidential?

Mr. ROTHSCHILD. It is classified restricted, confidential and secret. If it is confidential or secret it is locked in a vault and some-

body has been screened and watches it all the time. It is never left unguarded or unlocked.

Senator DIRKSEN. How is the work distributed?

Mr. ROTHSCHILD. Well, if a man is working on the gathering machine, the process requires gathering. It depends on whether they are in a hurry for the work. If so, the foreman tells one of the laborers to get it out of the vault in the basement and it is brought up and you handle it, set your machine and process it, gather it or wire stitch or whatever you have to do. It is the same with trimming it or folding it or anything else. It is handed out by the foreman or immediate supervisor.

The CHAIRMAN. I read in the paper the other day that there was a party for one of the officials who is leaving GPO and that certain people were excluded from this social gathering because they couldn't get past security. From that I would gather security restrictions are rather tight.

Mr. ROTHSCHILD. They weren't as tight as in the navy. I say that because top secret work in the navy, there was a naval officer and he either wore side arms or had a seaman along wearing side arms.

The CHAIRMAN. Now, we have information giving the number of top secret, secret and confidential and other materials the army had printed in GPO. Now, let me ask you this. When the military establishments, Atomic Energy Commission or any other government department sent over secret, top secret, or confidential material, did you have occasion to work on that material?

Mr. ROTHSCHILD. I started to say "no," but that is not correct. Yes, prior to—let's see what date that was—prior to 1948. I am not certain of the dates. I worked on any work anyone else did. Where it came from, the process before it got to the room, before I completed it, I don't know that process. I have worked on one part of printing over many years.

After 1948 or during 1948 I was called up by our agency loyalty board and I was given a hearing and at that time I was told to go back to work. Meanwhile, I underwent an operation. During my convalescence I received further notice for another hearing. There were certain accusations made at those hearings and I apparently disproved them enough to satisfy my own loyalty board because in March of 1949, Mr. Wright, the then chief clerk, now retired, left word for me to report to his office before eight o'clock.

At about a quarter of eight my foreman allowed me to go upstairs. I worked at night. Mr. Wright, as I walked in, smiled and said, "Mr. Rothschild, I was getting ready to drop this in the mail, but thought you would feel better to get it a day early." The letter stated the board was satisfied with my testimony.

The CHAIRMAN. May I make a suggestion? You can answer at such length as you want to. I would suggest, however, that you try and stick to the question. The question here was: Do you have access to classified material?

Mr. ROTHSCHILD. Frankly, I have access. I have to qualify that statement, I don't want to draw this out any. After that hearing a list came down, and the foreman told the people listed on there not to handle confidential or secret work. Since that, it has not

been the practice to give Ed Rothschild secret or confidential work, which I like.

The CHAIRMAN. You say it hasn't been the practice, but it is a fact that you have access to secret and confidential material?

Mr. ROTHSCHILD. Yes.

The CHAIRMAN. Up until today?

Mr. ROTHSCHILD. Up until this moment.

The CHAIRMAN. In other words, while your name was on that list as a practical matter, you have had access to any secret and confidential material that you care to see?

Mr. ROTHSCHILD. If the man working next to me had the job, you might say I had access to it. It would be a matter of reaching across and taking it if nobody was looking. Strangely enough, in handling any of this work, if you handle one copy—someone tells you they are on secret work and you have natural curiosity, but when you handle thousands, one looks like another and you are not interested.

The CHAIRMAN. If there were an espionage agent working in GPO having access to top secret, confidential material as you do, he could do a great deal of damage, couldn't he? I am not saying you are.

Mr. ROTHSCHILD. I will have to assume this; that if he were an espionage agent he would be a trained man and consequently he would know how to go about it.

The CHAIRMAN. Let's say I were working in your job. Let's assume McCarthy is a Communist espionage agent and assume I had access to secret, top secret and confidential material to the same extent you have. I could do a great service to the Communist cause, couldn't I?

Mr. ROTHSCHILD. I don't know how to answer that. I could say you could get your hands on a copy if you were clever enough.

The CHAIRMAN. I wouldn't have to be very clever.

Mr. ROTHSCHILD. I couldn't do it. To give you an example, someone apparently screened is watching it. Someone was working on a job and I went over to ask him about drainage in my cellar and the minute I got over there, he said, "Beat it." I hadn't stopped to think.

The CHAIRMAN. You say you haven't had occasion to read secret or top secret material?

Mr. ROTHSCHILD. I usually run the gathering machine. I see the jacket number, signature number and the page numbers, but as far as the inside is concerned, I have had no occasion to look at it.

The CHAIRMAN. Is it correct to say that you have gathered top secret and secret material?

Mr. ROTHSCHILD. I only opened it to see that the pages were in order. That is part of the job. Once it is set and running every once in a while you pick up a copy to see if it is paging properly.

Senator DIRKSEN. Let me get clear in my mind the progressive steps. Let's assume you receive top secret document from the Department of Defense, it is first referred to the print section and put on a linotype, or whatever it is.

Mr. ROTHSCHILD. I will have to assume some of this myself, Senator. It is printed in the press room and then it goes to the bindery. The bindery is the only part of the shop I am familiar with.

Senator DIRKSEN. Then in the bindery you gather all the pages?

Mr. ROTHSCHILD. No, they are first folded. If it is a side-stitch book it is gathered. If it is a saddle stitch book, then it is done like this one [illustrating]; then it is trimmed.

Senator DIRKSEN. The jacket is on it by this time?

Mr. ROTHSCHILD. The jacket number has gone along all the time and the instruction slip.

Senator DIRKSEN. The jacket is put on in the bindery also?

Mr. ROTHSCHILD. The jacket is there already.

Senator DIRKSEN. The jacket I am speaking of is the cover.

Mr. ROTHSCHILD. Our word jacket means the instructions. The cover is put on and is gathered all in the same process, or stitched.

Senator DIRKSEN. Now, it is ready to go on the truck and is in piles of one thousand or five thousand. What prevents anybody from taking a copy?

Mr. ROTHSCHILD. Because from the time it comes in the bindery until the time it is delivered, at least as far as the platform is concerned, someone stands with it.

Senator DIRKSEN. Has it ever been your job to stay with it?

Mr. ROTHSCHILD. No, sir. I have never had that job,

Senator DIRKSEN. Now, what happens to any overrun?

Mr. ROTHSCHILD. They are burned.

Senator DIRKSEN. What check is made on the total number that comes off the presses and what go back to the bindery? If I, for example, were gathering secret job and the order called for 1,000, and I made 1,010, and the person bundling up and boxing them would want exactly 1,000, what happened to the 10?

Mr. ROTHSCHILD. The ten would go back to the vault and held there.

Senator DIRKSEN. Who are the monitors that watch and keep these under surveillance?

Mr. ROTHSCHILD. Each section and each shift have their men. They are not monitors but security men screened by the FBI. They have a key to this bricked-in, iron-doored vault.

Senator DIRKSEN. Are they always there?

Mr. ROTHSCHILD. No, there is more than one. In case one is absent due to sickness or leave or there is more than one job running at the same time in various sections of this floor, since there are more than one assigned to watch each particular operation or each particular machine. I hope I made that clear.

Senator DIRKSEN. If there is an overrun and unless there is a monitor there constantly watching, copies could disappear.

Mr. ROTHSCHILD. Not unless the man himself, as I understand or I can see, unless the man doing that particular operation knew that there was someone over him which he could find out easy enough from the man before him who handled it. If he knew that then he might be able to take one. What he would do with it, I don't know. Slip it under his shirt or just what.

The CHAIRMAN. Up until today you have been doing the gathering of classified material?

Mr. ROTHSCHILD. Yes, of all material, Senator.

The CHAIRMAN. And that would include some of the top secret, and secret?

Mr. ROTHSCHILD. No, I didn't say that. Since my hearing, the office felt it would be a safeguard not only to them but the men themselves.

The CHAIRMAN. Up until today what kind of classified material do you gather?

Mr. ROTHSCHILD. Work that can be purchased at the Superintendent of Dockets or restricted matter. Confidential and secret work is something I haven't touched since that hearing, since the office felt it would be much better if I didn't touch it.

The CHAIRMAN. Then you have not gathered secret, top secret or confidential material since your hearing in 1948? It is your testimony that you have not handled any material classified as top secret or confidential?

Mr. ROTHSCHILD. I just remembered something. I want to qualify that. One night on a machine I usually worked on, a job came in that that machine handled, under secret. My foreman came over and told me to take it. I shook my head and said, "No." He looked at me and said, "What the hell is the matter?" I told him I couldn't touch secret. He said, "That is right. I forgot for a moment." Later he comes back and said, "Go ahead." It just happened that all the men qualified to run that machine were off except myself.

The CHAIRMAN. This man who stays with top secret and secret material is an employee of GPO?

Mr. ROTHSCHILD. Yes, the men are usually bookbinders. The women are binder girls.

The CHAIRMAN. In other words, Atomic Energy Commission work, they do not send a man along to guard it?

Mr. ROTHSCHILD. He is an employee like myself, the same status.

The CHAIRMAN. Fellow workers?

Mr. ROTHSCHILD. Yes.

The CHAIRMAN. And a number of your good friends handle top secret material?

Mr. ROTHSCHILD. I think everybody in the shop is my friend, and everybody handles it.

Senator DIRKSEN. You have met them socially?

Mr. ROTHSCHILD. No, sir. Strangely enough, outside of one or two, I haven't gone out with the fellows I work with. When I was single, I went out with a few. Since I have been married, I have found no occasion. One of the men I am fairly friendly with and both my wife and I have gone to their home. They had a youngster recently and we were interested in him. Even those visits are few and far between.

The CHAIRMAN. Let me ask you this. Assume that I were in your office in your job. Assume that I were a Communist espionage agent, would you say I would have much difficulty obtaining top secret, and secret material that my other friends were binding and taking care of?

Mr. ROTHSCHILD. Yes, I think you would. I won't say whether you would be unable to do it, Senator. I don't know how clever you would be. I seriously doubt if you were working beside that you wouldn't get it.

The CHAIRMAN. How about shipping copy? I understand sometimes there are one thousand or two thousand there in a pile.

Mr. ROTHSCHILD. They are not there very long. They are never by themselves.

The CHAIRMAN. One of your friends, one of your co-workers guard them?

Mr. ROTHSCHILD. If that man wanted to go to the washroom or wanted to go get a smoke, or wanted to leave the job for any reason, the security man, he would call over to the foreman or supervisor and ask him to keep an eye on it.

The CHAIRMAN. Now, have you ever belonged to the Communist party?

Mr. ROTHSCHILD. No, sir. I haven't.

The CHAIRMAN. Were you ever solicited to join the Communist party?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. Have you ever solicited anyone to join the party?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. Did you ever solicit Jim Phillips to join the Communist party?

Mr. ROTHSCHILD. By Jim Phillips—I know James. I know a James Phillips.

The CHAIRMAN. Did you ever solicit James Phillips to join the Communist party?

Mr. ROTHSCHILD. No, I never solicited him.

The CHAIRMAN. You never talked to him about joining the party?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. Do you know Fred Sillers?

Mr. ROTHSCHILD. I have to say "yes," because I had two FBI men at the house. I was asked by them if the name was familiar.

The CHAIRMAN. Were you ever brought up before a disciplinary board of the Communist party?

Mr. ROTHSCHILD. No, because I didn't belong to the Communist party.

The CHAIRMAN. Were you ever accused by a Communist group of "white chauvinism" and asked to appear?

Mr. ROTHSCHILD. No, because I didn't belong to the Communist party.

The CHAIRMAN. Did your wife belong to the Communist party?

Mr. ROTHSCHILD. No, sir, she hasn't.

The CHAIRMAN. Are you sure of that?

Mr. ROTHSCHILD. As sure as any man can be of his wife.

The CHAIRMAN. Did she ever attend Communist party meetings?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. Do you know that your wife never attended Communist party meetings?

Mr. ROTHSCHILD. To the best of my knowledge and as sure as a man can be of his wife, I say "no."

The CHAIRMAN. Do you know Charles Gift?

Mr. ROTHSCHILD. Only because two FBI agents asked me that question. I don't know him. I heard the name.

The CHAIRMAN. Do you know whether Communist party meetings were ever held in your home?

Mr. ROTHSCHILD. I know they weren't.

The CHAIRMAN. Did you ever hear of the Civil Liberties Club of the Communist party?

Mr. ROTHSCHILD. Prior to the hearing held at the printing office, no, sir. Then I heard of it because of the hearing.

The CHAIRMAN. Did you live on Dix Street?

Mr. ROTHSCHILD. Yes.

The CHAIRMAN. What was the address over there?

Mr. ROTHSCHILD. 3430.

The CHAIRMAN. Do you recognize the Civil Liberties Club as a Communist party club?

Mr. ROTHSCHILD. Only because my hearing at the printing office mentioned it. Other than that I don't recall ever hearing it.

The CHAIRMAN. Do you have any kind of criminal record?

Mr. ROTHSCHILD. Yes, I have.

The CHAIRMAN. Would you care to tell us what that was?

Mr. ROTHSCHILD. I would like to very much.

The CHAIRMAN. First, do I understand that it is your unqualified statement under oath that you never belonged to the Communist party; your wife never belonged; you never attended any Communist party meetings?

Mr. ROTHSCHILD. That is right.

The CHAIRMAN. And that you were never solicited to join the party and never solicited anyone else to join?

Mr. ROTHSCHILD. Yes.

The CHAIRMAN. All right.

Mr. ROTHSCHILD. I was arrested on Christmas Eve of 1934. I was picked up for drinking and a pistol was found on me. I was given six months probation. Then again I was arrested for disorderly conduct and fined \$25.

Now, I have not been arrested since.

The CHAIRMAN. What was the disorderly conduct?

Mr. ROTHSCHILD. I was coming off my shift around midnight and some woman thumbed a ride going up 14th Street. I picked the person up and hadn't gone but a few feet when a police car stopped me and charged me with disorderly conduct.

The CHAIRMAN. It was a lady you picked up?

Mr. ROTHSCHILD. I don't know if she was a lady.

The CHAIRMAN. Have you ever been arrested for anything else?

Mr. ROTHSCHILD. Arrested or convicted?

The CHAIRMAN. Either arrested or convicted?

Mr. ROTHSCHILD. In 1946, Halloween, some kids were raising a lot of Cain. The children had been around for trick or treat. This was now 10:00 or after. I was on my way to work and as I stepped out of the door, two apparent children and one, I thought, grown-up crossed the lawn. I saw them stop at one house two or three doors down. I called them to get off the lawn. The two youngsters got off but the one in dungarees and T-shirt with a sack over her head—I later found out she was 5'8" youngster—called out something either derogatory or making something out of it. I lashed out for her and much to my surprise and chagrin and sadness found out it was a little girl. She wasn't so little really, and her glasses were broken. She ran off in the direction, not in the general direction of her home.

The case came to court before Judge Margo. I was charged with assault. The case came up before Judge Margo and he asked them if they knew what lying was. They were cute kids. They both

agreed they knew what lying was. The judge then asked them to relate what happened. They did. Then Judge Margo wanted to know when they went from door to door and asked for trick or treat, what happened if they don't treat. The kid answered, "We kick the screen door in." Judge Margo didn't particularly appreciate that and he claimed that a man had a right to protect his property.

I was then arrested again in 1951. I was building a flower bed and on my way to work somewhere between my home and work, on my way to work, they were building a brick building and I picked up some of them. The case was dismissed.

Those are my only arrests other than traffic turns.

Mr. COHN. Mr. Rothschild, you told us you have never been a member of the Communist party. Have you ever read the *Daily Worker*?

Mr. ROTHSCHILD. Yes, sir, I have.

Mr. COHN. How long have you been reading the *Daily Worker*?

Mr. ROTHSCHILD. I can't tell you exactly, two or three occasions. I would like to elaborate on that.

The CHAIRMAN. Do you have it delivered to you regularly?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. Were you ever a regular subscriber?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. And the occasion when you read it you purchased it on the newsstand?

Mr. ROTHSCHILD. On two or three occasions. Once it was part of my work to help bind that among other labor papers.

The CHAIRMAN. Is it your conception that the *Daily Worker* is a labor paper?

Mr. ROTHSCHILD. I said labor papers—Labor Department.

The CHAIRMAN. For what purpose did you bind that?

Mr. ROTHSCHILD. The Labor Department.

Mr. COHN. I don't think you understand. Give us the details under—

Mr. ROTHSCHILD. The Labor Department sent in a group of papers that they classified as labor papers. That was back in the '30s. They were bound in large volumes, dark buckram with red buckram on it. It was my job to letter them across the back, give titles and dates. I saw the word *Daily Worker*.

Mr. COHN. On how many occasions have you bought the *Daily Worker*?

Mr. ROTHSCHILD. I had heard of the *Daily Worker*. I stopped at a newsstand, I believe it was 7th Street and New Jersey Avenue where I transfer, and bought a copy on one or two occasions and read it.

Mr. COHN. Were you in sympathy with any of their ideas?

Mr. ROTHSCHILD. No, sir. I was not in sympathy with any Communist ideas.

The CHAIRMAN. Do you know Fred Sillers? I believe you said that you heard the name from two FBI agents. Had you known him before that?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. Did you ever attend a meeting of a Navy Yard group of Communist party members?

Mr. ROTHSCHILD. No, sir. I never met any Navy Yard workers except one former neighbor of mine.

The CHAIRMAN. Did you ever attend meetings with James Phillips and Fred Sillers?

Mr. ROTHSCHILD. No, sir. I don't know James Phillips except at my work and the fact that he lives past me. I have seen him in the grocery store.

The CHAIRMAN. It is your positive testimony that you did not attend a meeting in 1939 with James Phillips or Fred Sillers?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. Is that correct?

Mr. ROTHSCHILD. That is correct.

The CHAIRMAN. Do you recall a meeting at which time you and Fred Sillers asked Phillips to join the party?

Mr. ROTHSCHILD. No, sir. I don't recall such a meeting.

The CHAIRMAN. Do you know of any Communists in the Government Printing Office?

Mr. ROTHSCHILD. No, I don't.

The CHAIRMAN. Did you ever hear that there was being a group of Communists formed in the Government Printing Office?

Mr. ROTHSCHILD. I didn't hear that, Senator.

The CHAIRMAN. Did you ever hear that there was a Communist group being formed in the Government Printing Office?

Mr. ROTHSCHILD. No, I didn't.

The CHAIRMAN. Did you ever know a Frederick Miller?

Mr. ROTHSCHILD. Frederick Miller? No, I don't recall a Frederick Miller in the printing office or anywhere else.

The CHAIRMAN. You say as far as Frederick Sillers, you never heard of him until the FBI. Did you meet him at that time?

Mr. ROTHSCHILD. They came to the house two, three, or four months ago.

The CHAIRMAN. Did you ever meet Frederick Sillers?

Mr. ROTHSCHILD. No, sir, not knowingly.

The CHAIRMAN. Some of these questions may seem like surplus since you say you never attended a meeting but I will have to ask them of you.

Did you ever know a man in the Communist party by the name of "Fred"?

Mr. ROTHSCHILD. Since I never was a member of the Communist party I didn't know anybody by that name.

The CHAIRMAN. Did you ever know a John Anderson?

Mr. ROTHSCHILD. No, sir, I didn't.

The CHAIRMAN. Did you and your wife ever visit the home of John Anderson?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. Did you ever know Gertrude Evans?

Mr. ROTHSCHILD. No, I didn't.

The CHAIRMAN. Elizabeth Searle?

Mr. ROTHSCHILD. No.

The CHAIRMAN. Martin Chauncey?

Mr. ROTHSCHILD. I never knew him but I heard the name when I was questioned at my hearing. That is about the only time except when the FBI agent asked me that question.

The CHAIRMAN. If you met him today, as far as you know you wouldn't remember him?

Mr. ROTHSCHILD. No, sir, I wouldn't.

The CHAIRMAN. Jack Zucker?

Mr. ROTHSCHILD. I never met a Jack Zucker, either, sir.

The CHAIRMAN. Does counsel have a copy of Mr. Rothschild's loyalty board hearing?

Mr. FROSH. Yes.

The CHAIRMAN. Would you have any objection to making it available to the committee?

Mr. FROSH. It is the only copy Mr. Rothschild has. We have no objection to the committee making a copy.

The CHAIRMAN. Would you have Mr. Rothschild step out and Mrs. Rothschild come in.

Mr. FROSH. If the committee pleases, at this point I want to submit a statement prepared for Mr. Rothschild either now or after Mrs. Rothschild has appeared.

The CHAIRMAN. I may say, Mr. Frosh, if you want a day or two to prepare that, there is no rush as far as the committee is concerned.

I may say further, Mr. Frosh, we won't accept statements by other witnesses unless they appear here under oath.

#### TESTIMONY OF ESTHER BRAININ ROTHSCHILD

The CHAIRMAN. Mrs. Rothschild, in the matter now in hearing, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. ROTHSCHILD. I do.

The CHAIRMAN. You are the wife of Edward Rothschild. Is that correct?

Mrs. ROTHSCHILD. Yes.

The CHAIRMAN. You never appeared before the loyalty board, did you?

Mrs. ROTHSCHILD. No, I have not.

Senator DIRKSEN. You do not work for the government?

Mrs. ROTHSCHILD. No, I did not.

The CHAIRMAN. Have you ever been a member of the Communist party?

Mrs. ROTHSCHILD. No, I haven't.

The CHAIRMAN. Have you ever attended any Communist party meetings?

Mrs. ROTHSCHILD. No, I haven't.

The CHAIRMAN. Were you ever the secretary or any other officer of the Civil Liberties Club of the Communist party?

Mrs. ROTHSCHILD. No, I am not. I haven't been.

The CHAIRMAN. Were you ever a member of any other organization that was, to your knowledge, directly or indirectly affiliated with the Communist party?

Mrs. ROTHSCHILD. No, not that I know of.

The CHAIRMAN. Did you ever attend a meeting over the Superior Print Shop?

Mrs. ROTHSCHILD. No.

The CHAIRMAN. Do you know where the Superior Print Shop is?

Mrs. ROTHSCHILD. No, I don't.

The CHAIRMAN. Just to fresh your recollections, I understand it is in the 600 block of Massachusetts Avenue, N.W.

Mrs. ROTHSCHILD. Of course, I have been by that plenty of times.

The CHAIRMAN. But you never attended a meeting up over that print shop?

Mrs. ROTHSCHILD. No.

The CHAIRMAN. Did you ever attend a meeting at the home of Joe Anderson—John Anderson?

Mrs. ROTHSCHILD. No.

The CHAIRMAN. Were you ever in his home?

Mrs. ROTHSCHILD. No.

The CHAIRMAN. Do you know John Anderson?

Mrs. ROTHSCHILD. No, I don't.

The CHAIRMAN. Was there ever a meeting of the Communist party or any organization to your knowledge affiliated with the Communist party held in your home?

Mrs. ROTHSCHILD. No.

The CHAIRMAN. Did you ever live on Dix Street?

Mrs. ROTHSCHILD. Yes.

The CHAIRMAN. Did you know Gertrude Evans.

Mrs. ROTHSCHILD. No.

The CHAIRMAN. Your answer is "no"?

Mrs. ROTHSCHILD. That is right.

The CHAIRMAN. Did you know Miss Markward?

Mrs. ROTHSCHILD. No.

The CHAIRMAN. One other question, do you know Elizabeth Searle?

Mrs. ROTHSCHILD. [Shakes head negatively.]

The CHAIRMAN. Mrs. Markward, I wonder if I could ask you to come up here.

[Mrs. Markward comes forward.]

Would you look at this young lady? Do you recognize her?

Mrs. ROTHSCHILD. Are you asking me?

The CHAIRMAN. Yes.

Mrs. ROTHSCHILD. No, I don't.

The CHAIRMAN. You never met her?

Mrs. ROTHSCHILD. Not to my knowledge.

The CHAIRMAN. Mrs. Markward, is this the lady you knew as Esther Rothschild?

Mrs. MARKWARD. During the party I was using my maiden name, Mary Stalcup. When I joined the party, the Communist party, and for party purposes, that was the name I was using.

The CHAIRMAN [to Mrs. Rothschild]. Did you ever know this lady as Mary Stalcup?

Mrs. ROTHSCHILD. No.

The CHAIRMAN. Mrs. Markward, how well do you know this lady?

Mrs. MARKWARD. I saw her at least a dozen times.

The CHAIRMAN. And you can see no reason why she wouldn't remember you?

Mrs. MARKWARD. I attended meetings in her home. One meeting—the original type of meeting had to do with the workings of the Civil Liberties Club of which she was secretary.

The CHAIRMAN. She was secretary of that club?

Mrs. MARKWARD. Yes.

The CHAIRMAN. You attended a meeting with her also over the Superior Paint Shop in the 600 block of Massachusetts Avenue—

Mrs. MARKWARD. Yes.

The CHAIRMAN. And you knew her rather well as a Communist party worker?

Mrs. MARKWARD. That is correct.

The CHAIRMAN. There is no doubt in your mind that this lady is the lady known to you as Esther Rothschild, a member of the Communist party?

Mrs. MARKWARD. There is no doubt.

Senator DIRKSEN. Mrs. Rothschild, do you know an organization called the Thomas Jefferson Club?

Mrs. ROTHSCHILD. No, I don't.

Senator DIRKSEN. Have you any notion as to the Thomas Jefferson Club which might have been known as a White Collar Club?

Mrs. ROTHSCHILD. No.

Senator DIRKSEN. Do you know anything about the Civil Liberties Club?

Mrs. ROTHSCHILD. Not to my knowledge.

Senator DIRKSEN. You had no identity with an organization known as the Civil Rights Club in 1946?

Mrs. ROTHSCHILD. No.

Senator DIRKSEN. And you know nothing about the so-called Thomas Jefferson Club nor had any identity with it in October 1945 or in that period?

Mrs. ROTHSCHILD. No, I haven't.

Mr. COHN. Did you have anything to do with the Washington Bookshop?<sup>54</sup>

Mrs. ROTHSCHILD. No.

Mr. COHN. Have you ever heard of it?

Mrs. ROTHSCHILD. Only in the hearing my husband had.

Mr. COHN. How about the American Peace Mobilization?

Mrs. ROTHSCHILD. No, I don't recall anything like that.

Mr. COHN. Did you ever read the *Daily Worker*?

Mrs. ROTHSCHILD. No, we take the *Post*.

Mr. COHN. Were you ever brought up on any charges before anybody in the Communist party?

Mrs. ROTHSCHILD. No.

Mr. COHN. You were not?

Mrs. ROTHSCHILD. No.

Mr. COHN. You never attended Communist party meetings?

Mrs. ROTHSCHILD. No.

Mr. COHN. Did you ever attend meetings or have meetings at your home on Dix Street?

Mrs. ROTHSCHILD. Well, I belong to the P.T.A.

Mr. COHN. Outside of the P.T.A.?

Mrs. ROTHSCHILD. No. I can't recall any.

The CHAIRMAN. May I make a suggestion to your counsel that he take some time and advise with his client for her benefit. We have a number of witnesses that Mr. and Mrs. Rothschild were in the Communist party. We have one witness who joined the party at the

<sup>54</sup>The Washington Bookshop Association offered cultural programs and lectures on radical issues and sold books at a discount, it also issued membership cards and maintained a mailing list of members.

request of the FBI, used by the bureau, reported to the bureau at the time of the meetings. Those reports are in existence putting Mrs. Rothschild in the party. Forgetting about the sworn testimony, as you know it is no crime to be a member of the Communist party unless you are aware of the fact that it is dedicated to the overthrow of this government by force and violence. If you want to discuss it with her.

I might say, Mrs. Rothschild, your attorney can't advise you unless you tell him the absolute truth. We have no interest in seeing anyone prosecuted for perjury. I suggest you discuss this and he may want to advise you on this. If you care to. If you don't care to, it is okay.

Mr. FROSH. You may proceed. We will stand on the record.

The CHAIRMAN. That is sufficient.

Senator DIRKSEN. Mrs. Rothschild, you said you belonged to the P.T.A.

Mrs. ROTHSCHILD. Yes.

Senator DIRKSEN. And do you belong to any other organizations besides the P.T.A.?

Mrs. ROTHSCHILD. I belong to the Hadassah. It is a Jewish sisterhood connected with the congregation.

Oh yes, I was an Air Raid Warden in World War II; the Hadassah, and of course, the P.T.A. has a number of organizations connected with it that I was active in, like the Eastern Suburban Study Group, the Child Study Groups. I worked in the cafeteria there in the school. I was a room mother in the school—my little boy's room—and I think I went as a delegate one time from the P.T.A. to the Washington Convention.

Senator DIRKSEN. Have you ever heard, either through newspapers or radio of an institution known as the Washington Bookshop?

Mrs. ROTHSCHILD. Well, I said I have read of it in my husband's hearing.

Senator DIRKSEN. It gained a lot of publicity a good many years ago known as the Washington Bookshop, and I am quite sure at that time it was located on lower Connecticut Avenue. Had you ever heard of that?

Mrs. ROTHSCHILD. I don't know. I might have heard of it. I am not too familiar with it.

Senator DIRKSEN. It carried that name—the Washington Bookshop—and was really operated by an organization. Were you ever a member of that organization that operated the Washington Bookshop?

Mrs. ROTHSCHILD. No.

Senator DIRKSEN. And you say you never heard of the so-called Thomas Jefferson Club. The Thomas Jefferson Club has been identified as a White Collar Club affiliated with the Communist party. As I recall it, it was tagged by the Attorney General a number of occasions as being either affiliated with or a front organization of the Communist party.

You say you never heard of the Thomas Jefferson Club or the so-called White Collar Club.

Mrs. ROTHSCHILD. I never heard of it unless I read it in the newspapers and passed over it.

Senator DIRKSEN. And you have never heard of an organization called the Civil Liberties Club?

Mrs. ROTHSCHILD. No.

Senator DIRKSEN. Is it your testimony that you never met at your home at any time?

Mrs. ROTHSCHILD. I am sure.

Senator DIRKSEN. And you are sure you have had no official connection with any such group?

Mrs. ROTHSCHILD. That is right.

**TESTIMONY OF MR. AND MRS. EDWARD M. ROTHSCHILD**

Mr. COHN. Mr. Rothschild, do you have a relative by the name of Rose Rothschild?

Mr. ROTHSCHILD. No.

Mr. COHN. Did you ever address envelopes as a Communist party assignment?

Mrs. ROTHSCHILD. No.

Mr. COHN. Did you ever deliver such envelopes to Mary Stalcup at 5th and New York Avenue in the presence of other people?

Mrs. ROTHSCHILD. No.

Mr. COHN. Did you ever deliver any material?

Mrs. ROTHSCHILD. No.

Mr. COHN. Anything to Mary Stalcup?

Mrs. ROTHSCHILD. No.

Senator DIRKSEN. You are certain, Mrs. Rothschild, that you never saw the lady that appeared here a moment ago and introduced herself as Mary Stalcup?

Mrs. ROTHSCHILD. Well, she may have been in the hall. I was in the hall.

Senator DIRKSEN. I mean before today?

Mrs. ROTHSCHILD. No, I haven't.

Senator DIRKSEN. You have never seen her before today?

Mrs. ROTHSCHILD. Not to my knowledge. Not that I am aware of.

Senator DIRKSEN. You never addressed any material for the Communist party?

Mrs. ROTHSCHILD. No.

Senator DIRKSEN. You would know if she brought the material and you addressed it?

Mrs. ROTHSCHILD. Well, sure.

The CHAIRMAN. Mr. Rothschild, did you ever remove any classified material from the Government Printing Office?

Mr. ROTHSCHILD. No, sir. No classified material.

The CHAIRMAN. You never took any material out of the building that was top secret, secret or confidential and restricted?

Mr. ROTHSCHILD. No, sir.

The CHAIRMAN. Do you have any material in your home at this time that is classified?

Mr. ROTHSCHILD. No, I don't.

The CHAIRMAN. Are you sure about that?

Mr. ROTHSCHILD. I am, yes.

The CHAIRMAN. What is your present address?

Mr. ROTHSCHILD. 1805 Belvedere Boulevard, Silver Spring, Maryland.

Mr. COHN. Just two questions. Did you ever work for the United States government?

Mrs. ROTHSCHILD. No.

Mr. COHN. What was the date of your marriage?

Mrs. ROTHSCHILD. 1935, I believe. I can verify that. I have it on my ring. Yes, I am almost sure.

Mr. ROTHSCHILD. Could I answer that question? July 10, 1935.

The CHAIRMAN. In closing, I understand it is your testimony, Mr. Rothschild, that you do not personally know anyone who to your knowledge is or has been a member of the Communist party?

Mr. ROTHSCHILD. No, I don't know anyone. If I did I am sure I would stay clear of them.

The CHAIRMAN. Mrs. Rothschild, it is your testimony you don't know anyone personally who is or has been a member of the Communist party?

Mrs. ROTHSCHILD. No, not knowingly I haven't.

The CHAIRMAN. Both of you will consider yourselves still under subpoena and we will notify your counsel when you are to return.

Mr. ROTHSCHILD. Senator, I would like to make a request. We have a little boy at home. We don't like to leave him alone, and I try to sleep during the days. I work at night. Fortunately, Monday is as good a day as any. If and when we are called again, if it is necessary to do a night's work—

The CHAIRMAN. We will try and work it out to your convenience. If you are called during the day, we will ask your boss to give you the night off.

Mr. ROTHSCHILD. We will appreciate that.

Mr. FROSH. Now, Mr. Senator, for the record, at the next hearing of the committee, we would like the committee to summon Mr. John Anderson, and Gertrude Evans.

The CHAIRMAN. Give us John Anderson's address?

Mr. FROSH. That we don't have.

The CHAIRMAN. What do you have in mind Anderson could testify to?

Mr. FROSH. I would like to get him to identify Mr. and Mrs. Rothschild. We would like Mrs. Markward to be returned to the committee for cross-examination.

The CHAIRMAN. You will not be given any right to cross-examine her but can submit questions through the chairman.

Mr. FROSH. We would like Elizabeth Searle summoned. We would like Frederick Siller summoned. We would like Frederick Miller summoned. We would like Martin Chauncey summoned.

The CHAIRMAN. May I say I think, Frederick Miller is mis-statement. That is Fred Siller.

Mr. FROSH. All right. We would like Martin Chauncey summoned. We would like Jim Phillips summoned; and Charles Gift summoned. We would like Jack Zucker summoned. We would also want summoned a person by the name of Esther Rothschild, whose name appears in the Washington telephone directory.

The CHAIRMAN. How many Esther Rothschilds are there in the telephone directory?

Mr. FROSH. There is one Esther Rothschild listed in the Washington directory.

We would like her summoned to have Mrs. Markward identify this Esther Rothschild as she did the one appearing before the committee today. We maintain that this is not the Esther Rothschild who held the office the committee suggested.

The CHAIRMAN. I believe unless you have some reason to believe this other Esther Rothschild is a member of the Communist party. We have no reason to believe anything.

Mr. FROSH. May I ask this? Has the committee ever contacted this person?

The CHAIRMAN. We have witnesses positively identifying your client. I think the committee should give you every possible consideration in subpoenaing witnesses that would be beneficial, but not just because you know of someone with the same name. Is the Esther Rothschild listed in the telephone directory Miss or Mrs?

Mr. FROSH. There is no indication as to whether she is married or single.

Of course, we would assume the committee before it summoned Mrs. Rothschild to the stand has made an investigation and determined that she is the one—is the Esther Rothschild.

Mr. COHN. That is a correct assumption.

Mr. FROSH. We assume the committee made a determination with the same name, whether she had the same appearance and that Mrs. Markward might be mistaken. For that reason we would also want someone the same name summoned so Mrs. Markward can be confronted with her as well.

The CHAIRMAN. Mr. Frosh, it would be unusual to have another Esther Rothschild with a husband working in the Government Printing Office.

Mr. FROSH. It may be that the connection is erroneous. I think it would be one of those things that the committee staff could investigate.

The CHAIRMAN. I doubt we would be justified in having an official investigation of this Esther Rothschild without probable cause.

Mr. ROTHSCHILD. Is it possible that someone could assume that; that she looked like her?

The CHAIRMAN. Mr. Rothschild, we have a witness who swears under oath to have attended Communist meetings in your home, gives the address of your home, exactly where it was. There is no reason why an FBI agent back in 1942, 1943, or 1944 would give an erroneous report to the Bureau of these meetings. It would be rather odd coincidence that she would have to be a great enemy to do that, especially in view of the fact she says she knows none of these people.

You may step down. We will let you know when you are to return. Most likely it will be some day this week.

I assume before public hearings in this, you would like to have subpoenaed some of the witnesses in executive session. I have no way of knowing how many we will be able to locate. It is rather difficult when you are dealing with the Communist party to locate some individuals after meetings are held but we will do the best we can. Counsel will let you know which ones we are able to subpoena.

Mr. COHN. Mr. Chairman, we can say definitely as to Elizabeth Searle, we have developed this afternoon she was last reported as

being in Philadelphia as a functionary of the Communist party. Rose and John Anderson, according to our information, have left the United States and they have been identified as Communist party functionaries. Gertrude Evans, we have an address and will subpoena promptly.

Mr. ROTHSCHILD. Senator, could I point out something. At the hearing I had at the printing office my attorney then brought out the fact that struck me as very important at that time; that he assumed that I and anyone else would have to assume to be a member of the Communist party and certainly a functionary or someone who holds some sort of office, they must do something other than belong. Now, the lawyer at that time brought out the type of work I had been doing, the hours that I have worked, have had, and the desire to get sleep, you couldn't very well do anything at all, let alone do even a little bit, and the value to an organization, the Communist party, would be null and void. I wonder if you had considered that.

The CHAIRMAN. I may say I don't propose to argue the point as to whether you are a Communist or not. All we know is that you have an important job and if you were a Communist you could do untold damage to this country. Either your wife was a member, active in the Communist party, or the witness has perjured herself. We have a clear-cut case either of perjury of yourself or other witnesses.

Mr. ROTHSCHILD. Naturally the other witnesses wouldn't admit they are wrong.

The CHAIRMAN. No more than you would admit you were wrong.

Mr. ROTHSCHILD. Sure. I feel and my wife feels the same way; that we are telling the truth to the best of our knowledge. I feel there is a possibility of mistaken identity.

The CHAIRMAN. We will develop all the testimony we can. It would be a rather unusual case for an undercover agent for the bureau—just so you will understand the committee's position—

If I were an undercover agent for the FBI and submitted reports periodically; if I showed I went to your home and attended a Communist party meeting; if I filed a report the following week saying your wife delivered envelopes she addressed in behest of the Communist party; if I reported to the bureau exactly the address at which I attended Communist party meetings which happened to be your home, unless I was deliberately trying to frame you, I wouldn't hardly do that. I might say that there is as strong a case at this point of perjury as I have seen. It isn't up to me. We have had evidence to that developed in this committee at this time.

In view of the great importance of your work, your access to top secret work of the military and Atomic Energy, and we have no choice but to run this down to the very end.

Mr. ROTHSCHILD. I might add I requested to the point of being taken off the floor not to handle that type of work.

The CHAIRMAN. Incidentally, do you handle work for CIA?

Mr. ROTHSCHILD. I am not aware of it if we do. We may but I am not aware of it.

I just want to point out this. This thing has been financially and emotionally quite an expensive proposition to me. You know my earnings, or can find them out very easily. That is the only income

I have. This is constantly being brought up. For instance, four years ago that was costly and this isn't any less costly, to say nothing of what it is doing to us emotionally. I was hoping that the committee would consider that.

Senator DIRKSEN. We don't enjoy this. We have an unpleasant job, bringing husband and wife up. We have positive testimony from a reliable witness in time, place and dates and with this country at war, we have no choice at all. We have got to do unpleasant jobs. If you are a member handling that secret material, you could do untold damage to this country. We have no choice but to bring in all the witnesses.

Mr. ROTHSCHILD. I fully agree with you if I were such a person I could be a great danger. No one knows that better than I.

You use the word reliable witness. I question the word "reliable." The only witness I have seen is Mr. Phillips. I mean someone who is stable and lives a normal life, continues to be married to one person and doesn't do anything that we consider unstable. I am not sure I consider Phillips a stable person.

I have worked with Mr. Phillips some few years since my return from the navy. That is when I first saw him. I don't remember exact dates.

The CHAIRMAN. You say you had not seen him any time prior to going with the navy?

Mr. ROTHSCHILD. After I came back from the navy to the printing office.

The CHAIRMAN. You say that was the first time you ever saw Mr. Phillips?

Mr. ROTHSCHILD. I immediately came on nights again when I got out of the navy.

The CHAIRMAN. You didn't know him from 1938 to 1942?

Mr. ROTHSCHILD. He didn't work in the section I worked in.

The CHAIRMAN. It is your sworn testimony that you didn't know him until after your return from the navy?

Mr. ROTHSCHILD. I remember him after I came out of the navy.

The CHAIRMAN. See if you can give me a direct answer.

Mr. ROTHSCHILD. I can't remember dates.

The CHAIRMAN. I want to know—I understand your testimony to be you had not had any conversation with Mr. Phillips until after you got out of the navy in 1945?

Mr. ROTHSCHILD. That is the best of my recollection, yes, sir.

The CHAIRMAN. You didn't know him before that?

Mr. ROTHSCHILD. I don't recall ever meeting him before that. I am not sure when he came on at the shop.

Mr. FROSH. May I ask one other thing? You say there are other reliable witnesses who have stated they attended meetings at the Rothschild home, knows these people as members of the Communist party. Is the chairman prepared to disclose the names of those persons at this time?

The CHAIRMAN. We will give you the name of every witness called. Where you have a question of an individual holding an important job is concerned, he has the choice of admitting or committing perjury. I am not referring to your client but talking in generalizations. If she or he knew who the witnesses are and to what they were going to testify, that gives them a great choice to know

when they can safely commit perjury. Every witness called will be known to you.

Mr. FROSH. Will they be called in the same executive session?

The CHAIRMAN. They will be called in executive session.

Mr. FROSH. And we will be given the opportunity through the chair to direct questions at them?

The CHAIRMAN. You will be given the opportunity to direct questions to them.

Senator DIRKSEN. May I make one observation for the record. I am responsive to what Mr. Rothschild said. I can readily understand this is an unhappy, emotional experience for you and not a happy experience for us. Let's look at it in this light. There was a gentleman by the name of Klaus Fuchs, one of the most inoffensive, self-effacing people I have yet seen who finally got to England, and it became known through the FBI he was one of those who would destroy our basic form of government by giving information on the bomb.

Now, this committee is also confronted with this kind of information. Here is confidential material which goes through the government printing plant. Doubtless, some of it might be of great value to those who might want to violate or reform or change this form of government. When a record is made by the official investigating agency in the executive branch and made available to this committee, I think you can appreciate the committee does have a responsibility. It goes to the very security of the United States. I think you will admit that.

Without being invidious or making aspersions of any kind, it is on the basis of the record that has been made that we have—that we must go through and ascertain the truth as best we can.

Mr. ROTHSCHILD. I fully appreciate and understand that. You used the statement there "wanting to change this form of government." This is the only form of government I am interested in, want to see perpetuated. I want to make that clear. To me that is a very important thing in view of what happened in Germany a few years ago and what is happening now.

Senator DIRKSEN. The committee tries to be guarded in its approach to this thing. You are in the presence of the staff, two members of the committee who have been pledged to secrecy. We don't try to impair anybody; we don't try to hurt anybody. We do have the responsibility of ascertaining the truth as best we can.

Mr. ROTHSCHILD. I am just bewildered.

Mr. COHN. I want to ask you this: About how many occasions did you purchase the *Daily Worker*?

Mr. ROTHSCHILD. I would say possibly two or three.

Mr. COHN. For what purpose?

Mr. ROTHSCHILD. Just idle curiosity. I just picked up a newspaper. The *Daily Worker* is not a paper you see around. That has been many years ago. I haven't seen a copy since that time.

Mr. COHN. Who was on the loyalty board that heard you?

Mr. ROTHSCHILD. At the printing office?

Mr. COHN. Yes.

Mr. ROTHSCHILD. There was a Mr. Hipsley, Mr. Wright, Mr. Miller, Mr. McLean and then later at the second hearing there was added to that Mr. Christopher and the chairman.

Mr. COHN. All friends of yours?

Mr. ROTHSCHILD. No sir, I had never known any of them. I knew Mr. Miller.

Mr. COHN. You knew Mr. Wright?

Mr. ROTHSCHILD. Only as chief clerk at the printing office.

The CHAIRMAN. Do you know why they didn't call your wife, and put her under oath?

Mr. ROTHSCHILD. We asked them, the lawyer and myself, if they would like to and they said they would think it over. Apparently, I assume, they felt there was no need.

The CHAIRMAN. You may step down.

#### TESTIMONY OF JAMES BENJAMIN PHILLIPS

The CHAIRMAN. Will you stand and be sworn?

In the matter now in hearing, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PHILLIPS. Yes, sir.

Mr. COHN. Could we get your name, please?

Mr. PHILLIPS. James Benjamin Phillips.

Mr. COHN. Are you now employed in the Government Printing Office?

Mr. PHILLIPS. Yes, I am.

Mr. COHN. For how long a period?

Mr. PHILLIPS. Fifteen years.

Mr. COHN. You have been there fifteen years. Is that right?

Mr. PHILLIPS. That is right.

Mr. COHN. Do you recognize Edward Rothschild?

Mr. PHILLIPS. Yes, I did.

Mr. COHN. Does he work in the Government Printing Office?

Mr. PHILLIPS. Yes, he did.

Mr. COHN. Do you know him fairly well?

Mr. PHILLIPS. I know him fairly well.

Mr. COHN. Do you work in the same vicinity?

Mr. PHILLIPS. I work across the aisle.

Mr. COHN. Have you ever attended Communist meetings?

Mr. PHILLIPS. Yes, I have.

Mr. COHN. When was that?

Mr. PHILLIPS. In 1938 or 1939.

Mr. COHN. Was Mr. Edward Rothschild there?

Mr. PHILLIPS. Yes, he was.

Mr. COHN. Where was this meeting held?

Mr. PHILLIPS. At Mr. Charles Gift's house, 1229 Queens Street, N.E.

Mr. COHN. You say you were there and Mr. Rothschild was present. Is that right?

Mr. PHILLIPS. Yes, sir.

Mr. COHN. Was there any discussion about forming a new party group consisting of Government Printing Office employees?

Mr. PHILLIPS. That was the objective of the meeting.

Mr. COHN. And it was discussed at that meeting?

Mr. PHILLIPS. Yes, sir.

Mr. COHN. Did there come a time after this meeting when Mr. Rothschild knew whether or not you would like to join such a group?

Mr. PHILLIPS. One Sunday morning, as far as I can recall, I was in front of my mother's house on C Street, S.E. and Mr. Rothschild and this man named "Fred" approached me and said they would like to talk to me. I said, "I don't want to talk here."

I said, "Walk down the street." So we went down the street to the corner of 1st and C and they said, "We want to know what you are going to do. Are you with us or against us. You know too much and we have our families and our jobs to protect."

Mr. COHN. What was your reply?

Mr. PHILLIPS. I told them I would like to think it over. They said, "How long?" I said, "Give me two months. I will let you know."

Mr. COHN. Did you talk to them later?

Mr. PHILLIPS. They never mentioned it to me again. After apparently I was unresponsive, they never brought it up again.

Mr. COHN. Did there come a time when Mr. Rothschild was away from the Government Printing Office for awhile?

Mr. PHILLIPS. I only know what I hear. He was in service and I was in service.

Mr. COHN. After you both came back, did you have occasion to see him again?

Mr. PHILLIPS. He worked practically next to me for quite a few years.

Mr. COHN. If he says he never saw you or talked to you before 1945, would that be truthful?

Mr. PHILLIPS. No, sir, it would not.

Senator DIRKSEN. What is the nature of your work?

Mr. PHILLIPS. Machine operator, grade A.

Senator DIRKSEN. Do you work in the same room with Mr. Rothschild?

Mr. PHILLIPS. I work behind the column.

Senator DIRKSEN. Do you go to the same washroom and have conversations? Do you visit back and forth?

Mr. PHILLIPS. Well, we have occasion to go to the washroom.

Senator DIRKSEN. What do you do on your lunch hour? Do you visit?

Mr. PHILLIPS. No, I did not.

Senator DIRKSEN. Going back to the meeting at the home of Mr. Gift, were you invited to that meeting?

Mr. PHILLIPS. Well, I was keeping company with Mr. Gift's daughter. Every time I would go in he would get me to read the Daily Worker.

Senator DIRKSEN. You are speaking of Mr. Gift?

Mr. PHILLIPS. Yes, sir. This time he said that he would like for me to stay; that there was going to be a meeting concerning the printing office.

Senator DIRKSEN. This was the night of the meeting referred to?

Mr. PHILLIPS. Yes, sir.

Senator DIRKSEN. How many were at this meeting?

Mr. PHILLIPS. Well, they had a room full.

Senator DIRKSEN. A dozen or fifteen perhaps?

Mr. PHILLIPS. Probably more than that. I would say more than that.

Senator DIRKSEN. All from the Government Printing Office?

Mr. PHILLIPS. No, sir.

Senator DIRKSEN. Mixed company?

Mr. PHILLIPS. Yes, sir. As I recall it was.

Senator DIRKSEN. Was Mr. Rothschild there?

Mr. PHILLIPS. Yes, sir.

Senator DIRKSEN. Was Mrs. Rothschild there?

Mr. PHILLIPS. I don't recall seeing her before I saw her in the grocery store several months ago. That is the first time I had seen her.

Senator DIRKSEN. How long did that meeting last?

Mr. PHILLIPS. I don't recall, sir.

Senator DIRKSEN. An hour or two?

Mr. PHILLIPS. Probably, yes, sir.

Senator DIRKSEN. Was there a formal opening? When the meeting opened did Mr. Gift make an announcement and say why?

Mr. PHILLIPS. I don't remember anyone making an announcement. It has been quite a while since then.

Senator DIRKSEN. Do you remember generally the discussion that went on in the course of the evening?

Mr. PHILLIPS. Well, as far as I can remember there was a discussion about forming a Government Printing Office unit of the Communist party, and I believe there was a reference to further meetings and election of officers. Whether they were elected at that meeting, I don't remember. I know there was some reference to the election of officers.

Senator DIRKSEN. Were there people there who identified themselves as being members of the Communist party?

Mr. PHILLIPS. Other than Charles Gift. I imagine they were all there for that purpose.

Senator DIRKSEN. Do you know whether Mr. Gift actually was a card-carrying member?

Mr. PHILLIPS. As far as I know his wife was and his family always referred to it and said that he gave more money to the party than to his family.

Senator DIRKSEN. One could fairly assume from his interests, expressions, from the things he read and cracks he made that either he was a card-carrying member or deeply in sympathy with the Communist party?

Mr. PHILLIPS. Yes, sir.

Senator DIRKSEN. What does Mr. Gift do?

Mr. PHILLIPS. I don't know what he does now.

Senator DIRKSEN. Does he work for the Government Printing Office?

Mr. PHILLIPS. He was a machinist at the Navy Yard.

Senator DIRKSEN. Was this before you went into service?

Mr. PHILLIPS. Yes, it was.

Senator DIRKSEN. This was before Mr. Rothschild went into naval service?

Mr. PHILLIPS. It was. I had only been at the printing office approximately a year.

Senator DIRKSEN. Insofar as you know, Mr. Rothschild knew Mr. Gift before that time.

Mr. PHILLIPS. I wouldn't say. It would only be an assumption.

Senator DIRKSEN. Did you at any time notify the bureau of all these things?

Mr. PHILLIPS. The FBI you mean? Yes, sir. They have approached me several times over the last ten years.

Senator DIRKSEN. About how soon after this meeting did you indicate the nature of the meeting, who was there?

Mr. PHILLIPS. It has been since I came from the service, sir.

Senator DIRKSEN. Would you recognize the names of others at the meeting that night?

Mr. PHILLIPS. I don't know their first name. I remember Frisby, Borrass. This fellow "Fred" was there.

Senator DIRKSEN. Would that be Fred Sillers?

Mr. PHILLIPS. I couldn't tell. I didn't know his last name. I had never seen his last name.

Mr. COHN. Do you think you would be able to recognize if you saw him?

Mr. PHILLIPS. The bureau was supposed to get me a picture.

Mr. COHN. We have got him coming in and you will get a chance to look him over.

Senator DIRKSEN. Now, after this conversation on the street with Mr. Rothschild about joining the party and you indicated that you wanted to think it over a couple of months, did he ever talk to you again about it?

Mr. PHILLIPS. No, sir, he never mentioned it.

Senator DIRKSEN. It was dropped then and there? You were associated in work after that but he never mentioned it?

Mr. PHILLIPS. I had never seen him at the printing office that time. It was the time after I went on night work and I happened to see Mr. Rothschild at that time. At that time I believe he was working in the record room. Since then he has been working in pamphlet bindery and I see him every night.

Senator DIRKSEN. Did you know him after he got into the navy? Did you encounter him while in service?

Mr. PHILLIPS. No, sir.

Senator DIRKSEN. Were you in the navy?

Mr. PHILLIPS. No, sir. Air force.

Senator DIRKSEN. During that period of service you did not see him?

Mr. PHILLIPS. No, sir.

Senator DIRKSEN. When you got back to the printing office after your tour of military and naval service, did he ever bring up the subject?

Mr. PHILLIPS. No, sir. He never mentioned it. He never indicated anything about it.

Senator DIRKSEN. Have you seen Mrs. Rothschild before today?

Mr. PHILLIPS. I saw her one time several months ago at the grocery store. I believe he introduced her to me.

Senator DIRKSEN. You did not discuss matters before this committee?

Mr. PHILLIPS. No, sir, I did not. Not since the two men threatened me.

Senator DIRKSEN. What is your rating at the printing office?

Mr. PHILLIPS. Laborer, grade 4, machine operator.

The CHAIRMAN. Do I understand that you knew Rothschild before he went into the navy?

Mr. PHILLIPS. Yes, sir. On two occasions I had seen him in the printing office.

The CHAIRMAN. Were you working in the same room before you went in the navy?

Mr. PHILLIPS. Not right in the same room. I was working in a room across from where he worked.

The CHAIRMAN. Did you know him fairly well?

Mr. PHILLIPS. Well, yes.

The CHAIRMAN. Have you reason to believe that there is an active Communist unit in the Government Printing Office?

Mr. PHILLIPS. Well, I wouldn't know.

The CHAIRMAN. Is there evidence that might reasonably lead you to that assumption?

Mr. PHILLIPS. That I wouldn't say. After this incident where Mr. Rothschild and this "Fred" came to see me, I noticed that they distributed "GPO Worker" on the street in front of the office.

The CHAIRMAN. "GPO Worker"?

Mr. PHILLIPS. Yes, it is a red mimeographed sheet.

The CHAIRMAN. Is it the official house organ of the Government Printing Office?

Mr. PHILLIPS. That I don't know. I just saw them distributing it. Just a handbill.

The CHAIRMAN. Is it sponsored by the organization over there?

Mr. PHILLIPS. I wouldn't know. I took it, being a "GPO Worker," it was.

The CHAIRMAN. Do you know what its contents were?

Mr. PHILLIPS. No, sir, I don't recall.

The CHAIRMAN. You wouldn't know where a copy might be obtained.

Mr. PHILLIPS. No.

Mr. COHN. Mr. Chairman, could we have Mr. Phillips come back tomorrow morning?

The CHAIRMAN. Could you come in and see if you recognize "Fred"? Are you on day shift or night shift?

[Discussion off the record.]

The CHAIRMAN. How about material stamped secret and confidential? That is printed over there at GPO for the military, the Atomic Energy Commission and CIA. Would it be easy for anyone in this shop to stick it in their coat and take it along with them.

Mr. PHILLIPS. The work is locked up in a vault. It comes from the press room to the bindery. It is processed through the bindery, and confidential employees go along to watch it and guard it. They really don't have enough people to do the job of guarding it.

The CHAIRMAN. Let's say you wanted to get some of these confidential documents, copies of them, would you have much difficulty doing that, do you think?

In other words, let's assume that I am a member of the Communist party. I am trusted by my fellow workers and I have the job assigned to me by the party of finding out what is in some secret and top-secret documents. I wonder how much difficulty I would have taking a look at them or sticking one in my coat.

Mr. PHILLIPS. I think it could be done fairly easy.

The CHAIRMAN. I don't suppose in your type of work you would know the volume of secret, top-secret and confidential material?

Mr. PHILLIPS. No, sir. I have handled some secret work on my machine. Secret navy, secret Civil Service Commission.

The CHAIRMAN. How about Atomic Energy?

Mr. PHILLIPS. I have never handled it, no, sir. Not that I know of.

The CHAIRMAN. You do a lot of printing for the State Department information program?

Mr. PHILLIPS. We run the State Department bulletin. Outside of that, we don't run much work. I think they have their own shop.

The CHAIRMAN. There is no doubt in your mind that the Rothschild in the hall is the same Rothschild whom you saw at a Communist meeting and later asked you whether you would join the party?

Mr. PHILLIPS. No, sir. There isn't.

The CHAIRMAN. Do you have any hard feelings towards Rothschild or any reason to misrepresent the facts?

Mr. PHILLIPS. No, sir. I don't.

The CHAIRMAN. You have had no fights or anything like that?

Mr. PHILLIPS. No, sir.

Senator DIRKSEN. You do believe, however, as a good citizen, if top-secret work were being published and somebody was a member of the Communist party and sought to purloin it and hand it over to the enemy, it is the patriotic duty on the part of everybody to let the government know?

Mr. PHILLIPS. Yes, sir. I do. We had a colored lady working on a machine, Bertha Lomack, and hearsay is she has just been represented as being a "Joiner" and seemed to be hard to get along with. They went out for timeout one morning and when we came back she had restricted material. It was *Navy Intelligence Quarterly*, and happened to be about Russia, had pictures of Russia. She laid it on the table over at the end of the machine. A little later she placed her pocketbook over it. I called to the assistant foreman. Eventually she put it in her pocket. The assistant foreman told me to watch. I watched her and he went for the superintendent and when she walked out she still had it in her pocket. They took her into the office and asked her if she had something restricted. She said she didn't know it was restricted and pulled it out and showed it to him. She got it that time. It is a matter of record what happened. She said she was interested in what was going on everywhere else, about Russia and again hearsay has it she had visited Russia. Of course, she had hearings, but in the meantime she was still working there. I understand one of the girls still pays her insurance there. In the same three months the FBI came in and wanted to know why they hadn't been notified about it.

Senator DIRKSEN. Is she still there?

Mr. PHILLIPS. No sir, she isn't. That is an incident, if I hadn't been there and noticed it.

Senator DIRKSEN. It can be done, can't it?

Mr. PHILLIPS. Yes, sir it can.

Mr. COHN. When was this?

Mr. PHILLIPS. I would say it was four years ago.

Mr. COHN. What was the name of the assistant foreman?

Mr. PHILLIPS. Edward Walsh.

[Whereupon the hearing adjourned at 4:30 p.m.]

## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—Frederick Sillers (1900–1988), testified in public on August 17, 1953, at which time he repeatedly declined to answer questions and cited the Fifth Amendment. The chairmen then ordered that portions of his executive session testimony be included in the printed hearing.

Gertrude Evans (1883–1966) testified in public on August 18. Charles Gift (1893–1980), a former machinist at the Naval Gun Factory, testified in public on August 20, 1953.]

TUESDAY, AUGUST 11, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:30 a.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Everett M. Dirksen, Republican, Illinois.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Richard O'Melia, general counsel, Committee on Government Operations; Karl Barslag, research director; Herbert S. Hawkins, investigator; Ruth Young Watt, chief clerk.

### TESTIMONY OF FREDERICK SILLERS (ACCOMPANIED BY HIS COUNSEL, DAVID REIN)

The CHAIRMAN. Mr. Sillers, will you raise your right hand?

In the matter now in hearing before this committee, do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SILLERS. Yes, sir.

The CHAIRMAN. What is your full name?

Mr. SILLERS. Frederick Sillers, Jr.

Mr. COHN. Where do you reside?

Mr. SILLERS. Rolla, Missouri.

Mr. COHN. Have you ever been employed by the United States government?

Mr. SILLERS. Yes.

Mr. COHN. Did you ever work in the Government Printing Office?

Mr. SILLERS. Yes.

Mr. COHN. During what period of time?

Mr. SILLERS. From 1939 to 1943, I think that was, if I remember correctly.

Mr. COHN. After 1943, where did you go?

Mr. SILLERS. Bureau of Standards

Mr. COHN. How long were you at the Bureau of Standards?

Mr. SILLERS. I think three or four years. I can't remember.

Mr. COHN. Where did you go from the Bureau of Standards?

Mr. SILLERS. Bureau of Mines.

Mr. COHN. For how long a period of time were you at the Bureau of Mines?

Mr. SILLERS. Well, I would say seven years.

Mr. COHN. When did you cease your employment at the Bureau of Mines?

Mr. SILLERS. In February of this year.

Mr. COHN. What have you done since that time?

Mr. SILLERS. Practiced my art, a painter.

Mr. COHN. Were you a chemist with the Bureau of Mines?

Mr. SILLERS. I was a metallurgist.

Senator DIRKSEN. What was the work you did at the Bureau of Mines?

Mr. SILLERS. Well, I was employed as metallurgist.

Senator DIRKSEN. Have you ever been schooled in the art of metallurgy?

Mr. SILLERS. I was schooled in the art of chemistry, but even while I went to school I practiced metallurgy.

Senator DIRKSEN. Are you a chemist?

Mr. SILLERS. Yes. I have a B.S. in Chemistry, George Washington School. I was with the Bureau of Mines in Washington, then I transferred to Rolla.

Senator DIRKSEN. How long?

Mr. SILLERS. A year and three months, I guess.

Senator DIRKSEN. Your employment with the government terminated in February of this year?

Mr. SILLERS. Yes.

Senator DIRKSEN. Voluntarily?

Mr. SILLERS. Yes.

Senator DIRKSEN. You quit?

Mr. SILLERS. Yes.

Senator DIRKSEN. And you are still located at Rolla, Missouri?

Mr. SILLERS. Yes.

Senator DIRKSEN. What are you doing?

Mr. SILLERS. Practicing my art as a painter.

Senator DIRKSEN. You paint pictures?

Mr. SILLERS. Yes, portraits and landscapes. Something or other about those things concerned with painting.

Senator DIRKSEN. But you are pursuing that avocation?

Mr. SILLERS. I had hoped to pursue that avocation if things look as promising at the end of the year as they have in the beginning. I don't mean necessarily pursue that as a livelihood. Everybody knows painting doesn't pay. I had thought perhaps I would go back to metallurgy. I don't know, I may play around a few years.

Senator DIRKSEN. How old are you?

Mr. SILLERS. Fifty-three.

Senator DIRKSEN. Married?

Mr. SILLERS. Yes.

Senator DIRKSEN. Children?

Mr. SILLERS. No.

Mr. COHN. By the way, are you drawing any money from the government, pension or anything along those lines?

Mr. SILLERS. No.

Mr. COHN. Mr. Sillers, have you ever been a member of the Communist party?

Mr. SILLERS. No.

Mr. COHN. Have you ever attended any Communist party meetings?

Mr. SILLERS. No.

Mr. COHN. Were you asked by anybody to join the Communist party?

Mr. SILLERS. No.

Mr. COHN. If somebody tells us you attended Communist party meetings and asked them to join the Communist party, is that person lying?

Mr. SILLERS. Absolutely.

Mr. COHN. Do you know a man by the name of Charles Gift?

The CHAIRMAN. May I suggest for the witness' own protection—I think he is entitled to know that a witness has identified him as a member of the Communist party. May I say this, we don't take it upon ourselves to advise witnesses when they have counsel. I might suggest, however, witnesses come in here a number of times and were guilty of no crime. It is no crime to be a member of the Communist party unless you know that it conspires to overthrow this government by force and violence. Is that correct, Mr. Cohn?

Mr. COHN. That is correct.

The CHAIRMAN. I want to advise you very strongly either you tell the truth or refuse to answer, just for your own protection in case of perjury. I think counsel is entitled to know we have these witnesses.

Mr. COHN. Now, have you ever been a member of the American League for Peace and Democracy?

Mr. SILLERS. No.

Mr. COHN. Have you ever had any connection with that organization?

Mr. SILLERS. No, I have not.

Senator DIRKSEN. Did you ever attend any meetings?

Mr. SILLERS. Not that I know of.

Senator DIRKSEN. Do you know what the American League for Peace and Democracy is?

Mr. SILLERS. I recall the name.

Senator DIRKSEN. That it has been identified by the attorney general?

Mr. SILLERS. Yes.

Senator DIRKSEN. But you have not attended any meetings?

Mr. SILLERS. Not that I know of. I can hardly recall the organization.

Mr. COHN. Have you ever been a member of the United Public Workers of America?

Mr. SILLERS. Yes.

Mr. COHN. When?

Mr. SILLERS. During my employment with the government until the time the union was dissolved.

Mr. COHN. What year would you fix that?

Mr. SILLERS. I don't know—1939 to 1943, something like that. I really don't remember the years. I was employed at the Bureau of Mines. I think about four years.

Mr. COHN. Did you know the union was under Communist domination? When did you hear that for the first time?

Mr. SILLERS. Well, it was accused in the newspapers. I didn't believe it.

Mr. COHN. Did you do anything to check the statements you read in the newspapers?

Mr. SILLERS. Well, I didn't know how to check it.

The CHAIRMAN. Do you know any member of the Communist party in that organization?

Mr. SILLERS. No.

Mr. COHN. Have you ever known a member of the Communist party?

Mr. SILLERS. Not that I know of.

Mr. COHN. Did you ever have any connection with the Washington Bookshop?

Mr. SILLERS. Yes, I was a member.

Mr. COHN. Did you know it was a Communist front?

Mr. SILLERS. As a matter of fact, it was open to question about that time.

The CHAIRMAN. Let me ask you this. You were a member of UPW. Do you now remember that as having been Communist dominated?

Mr. SILLERS. Well, I wouldn't say any more than when it existed.

The CHAIRMAN. Do you have any thought?

Mr. SILLERS. I don't know. The whole point is on union organizations, of which I have always been a firm believer. They have been accused of a number of things.

The CHAIRMAN. I am not talking about accused. Do you have any reason to believe or doubt that it was Communist dominated?

Mr. SILLERS. No, I don't have any reason to believe it.

The CHAIRMAN. Do you know that it was expelled from the CIO on the grounds that its activities and policies were directed toward the achievement of the aims of the Communist party rather than the constitution of the CIO? Are you aware of that fact?

Mr. SILLERS. I am aware of the fact the policy decision of the CIO was to expel the UPW. I don't know, being a believer in fairness, I wouldn't say the top governing body of the CIO was a group that was in a position to really know.

The CHAIRMAN. Were you still a member at the time UPW was expelled?

Mr. SILLERS. Yes, I guess I was. I don't remember when it was.

The CHAIRMAN. February 16, 1950?

Mr. SILLERS. Yes, I guess so.

The CHAIRMAN. Were you ever an officer of the UPW?

Mr. SILLERS. Well, local.

The CHAIRMAN. What office did you hold?

Mr. SILLERS. Financial secretary of the Interior Branch.

The CHAIRMAN. Would you tell us what the Interior Branch is?

Mr. SILLERS. Well, the Interior Branch of UPW is composed of the members that work for the Department of Interior, the same as another branch.

The CHAIRMAN. Did you continue as financial secretary after it was expelled by the CIO?

Mr. SILLERS. Yes.

The CHAIRMAN. And you were aware of the fact that it had been expelled because of Communist activities?

Mr. SILLERS. No. I was aware of the fact that it had been expelled.

The CHAIRMAN. Weren't you aware of the reason why it was expelled?

Mr. SILLERS. The supposed reason?

The CHAIRMAN. Not supposed reason; were you aware of the reason? You were financial secretary of your union which was expelled. Did you know the reason given for the expulsion?

Mr. SILLERS. The reason given by CIO? Yes, I did.

The CHAIRMAN. And you knew that reason was because of Communist activities and Communist control of the union?

Mr. SILLERS. Well, that is what was claimed.

Senator DIRKSEN. Mr. Sillers, I assume you know the CIO convened a special board to provide a hearing for certain unions that were affiliated with the CIO. You know that, don't you?

Mr. SILLERS. that is right.

Senator DIRKSEN. And that board convened for the purpose of giving them a hearing to determine whether or not particular affiliated unions were Communist dominated?

Mr. SILLERS. That is right.

Senator DIRKSEN. You knew they had conducted something in the nature of a trial and announced the charges against them and gave them opportunity, through respective officers, to defend themselves?

Mr. SILLERS. Yes, sir. I don't want to appear to banter or to argue, but I still think that is open to question because, well, if I remember, that was held in Washington; there was all kinds of charges and counter-charges, and as a matter of fact—

Senator DIRKSEN. Was Abraham Fletcher president of the UPW at that time?

Mr. SILLERS. Yes.

Senator DIRKSEN. Well, now, he and others were given ample opportunity to appear and defend their particular union against the charges made by the CIO.

Mr. SILLERS. Yes.

Senator DIRKSEN. Did you appear at any of those hearings?

Mr. SILLERS. No.

Senator DIRKSEN. Now then, a report was made and it was published as a Senate document. I presume you knew that.

Mr. SILLERS. A report of what?

Senator DIRKSEN. A report of the board convened to try these particular unions.

Mr. SILLERS. No.

Senator DIRKSEN. You knew, of course, about that kind of trial?

Mr. SILLERS. I am sorry. I don't quite understand. You say Senate document?

Senator DIRKSEN. I will get back to that in a moment. The board had to make findings.

Mr. SILLERS. You mean the CIO?

Senator DIRKSEN. Yes. The CIO set up this special board. You remember that?

Mr. SILLERS. Yes.

Senator DIRKSEN. Of course, charges were made and they were permitted to defend themselves. Testimony was taken and then a report was made.

Mr. SILLERS. Yes.

Senator DIRKSEN. I believe that report was published as a Senate document. The findings of this so-called trial board in respect to eleven unions published as Senate documents.

Did you ever read that?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever read the findings of the board in regard to your union?

Mr. SILLERS. No.

The CHAIRMAN. Is it your position that the CIO was wrong; that the UPW was not Communist dominated?

Mr. SILLERS. I said that it was open to question and I didn't feel and don't feel that the CIO board is a competent judge. Whatever they decided, that isn't the way to decide things by naming certain unions.

The CHAIRMAN. You mean you feel the CIO did not have the right to expel unions which it found were dominated by the Communist party?

Mr. SILLERS. The CIO, being built on a democratic foundation has a right to make its own decision. At the same time, there may be disagreement. I, myself, have no opinion.

The CHAIRMAN. You said you did not think that was the way to do it. I don't follow what you mean. Do you think they did not give UPW a fair hearing?

Mr. SILLERS. Well, I don't know that they are competent to judge.

The CHAIRMAN. Did you think they did not competently judge UPW at that time?

Mr. SILLERS. I say I don't know.

The CHAIRMAN. Did you feel when they made the finding that the activities and policies of UPW were consistently directed towards the achievement of the purposes of the Communist party rather than the policies set forth in the constitution of the CIO—do you think that was a correct finding?

Mr. SILLERS. Not to my knowledge. I don't think it was correct.

The CHAIRMAN. How long did you continue as an officer of UPW after the CIO expelled it?

Mr. SILLERS. Oh, maybe a year. May of 1952.

Senator DIRKSEN. Are you still a member of UPW?

Mr. SILLERS. No, sir. UPW is not in existence.

Mr. COHN. UPW was merged with some other unions. Is that right?

Mr. SILLERS. I don't know.

Mr. COHN. It didn't just go out of existence. A new union was formed consisting of membership of the UPW and certain other unions. Is that correct?

Mr. SILLERS. I don't know about that.

Mr. COHN. Don't you know for a fact that UPW consolidated with the, I think, Food Brokers and Agriculture Workers, making up a new union, Distributing and Processing Workers of American. Don't you know that?

Mr. SILLERS. No.

Mr. COHN. Did you belong to any union after UPW resolved?

Mr. SILLERS. No.

Mr. COHN. You stayed with the UPW until the end and did not join any other union?

Mr. SILLERS. Well, the UPW, I don't know when it went out of existence. I know—That is all right.

Mr. COHN. The fact is you stayed with it until it dissolved?

The CHAIRMAN. What was the occasion of your relinquishing your post as financial secretary or having lost that post?

Mr. SILLERS. Well, I was transferred by the Bureau of Mines and there were no people, to my knowledge, interested in UPW in Rolla, Missouri. I asked to relinquish that post. That was, I closed the bank account and that was the end of it.

The CHAIRMAN. You stayed on as an officer of UPW until you left Washington, were transferred to Missouri. Is that correct?

Mr. SILLERS. Yes, but I would like to differentiate between an officer elected in a branch, whether Interior or Agriculture. The one willing to do the work got it and I got it.

Senator DIRKSEN. What did you do with the funds?

Mr. SILLERS. I closed them out and gave them to local—name of the Washington local for the city as a whole.

Senator DIRKSEN. You were just financial secretary for the Interior Branch and the funds went back to the parent union.

Mr. COHN. By the way, did you work for Republic Steel?

Mr. SILLERS. Yes.

Mr. COHN. How long?

Mr. SILLERS. Two years, I guess.

Mr. COHN. What were your duties?

Mr. SILLERS. Well, I was working in a metallurgy capacity in the laboratory.

Mr. COHN. And how did you terminate your employment there? Did you quit?

Mr. SILLERS. Yes, I resigned and took a job with another company, Timm Manufacturing Company, Niagara Falls.

Mr. COHN. How long were you there?

Mr. SILLERS. A few months.

Mr. COHN. Then you quit? On your own volition?

Mr. SILLERS. Well, it was sort of mutual. I didn't like it and—

Mr. COHN. Then you went where?

Mr. SILLERS. Then I did freelancing for a while. Came back to Washington and did some popular science writing, etc.

Mr. COHN. Then what?

Mr. SILLERS. Then the Bureau of Standards as a research associate, not as a government employee.

Mr. COHN. When did you go to the Government Printing Office?

Mr. SILLERS. Those dates, I think I said 1939.

Mr. COHN. You say you did freelancing by writing articles, etc; then where was your contract with the government. What was your first government job?

Mr. SILLERS. I worked for two years at the National Bureau of Standards, or a year and a half, as a research associate.

Wait a minute. I am a little bit mixed up in these dates, from Niagara Falls in 1947 or 1948, back to Washington. My next employment was with the Government Printing Office,

Mr. COHN. You went there before you went to the Bureau of Standards?

Mr. SILLERS. Yes.

Mr. COHN. That was your first government employment?

Mr. SILLERS. No, I have worked for the government since 1919.

Mr. COHN. That was earlier. You left Niagara Falls and came to Washington to the Government Printing Office. That was 1939?

Mr. SILLERS. Yes.

Mr. COHN. How did you get in the Government Printing Office?

Mr. SILLERS. I went down and applied for the job in the laboratory.

Mr. COHN. What duties were you assigned to there?

Mr. SILLERS. Oh, analyses and checking of materials.

Mr. COHN. Particularize just a little.

Mr. SILLERS. They have many materials come into the Government Printing Office. They have their own specifications. They don't have to buy government standards. They have their own standardization laboratory, everything from paper to type.

Mr. COHN. Did this involve metallurgical work you were accustomed to doing at Republic Steel?

Mr. SILLERS. Well, in a sense, yes. I certainly picked up the analyses there, and testing.

Mr. COHN. Did they maintain a regular laboratory in the Government Printing Office?

Mr. SILLERS. Yes.

Mr. COHN. And you worked in the laboratory?

Mr. SILLERS. Yes.

Mr. COHN. How many other people worked there?

Mr. SILLERS. Oh, a dozen, maybe. I don't remember.

Mr. COHN. Did you have other duties—analytical work?

Mr. SILLERS. While in the laboratory, no. Later I was made foreman of the typemetal casing section, which took me more in the direct metallurgical work. I think I was about two years on that.

Mr. COHN. Did you become a member of a union or organization during the time you were in the Government Printing Office?

Mr. SILLERS. No.

Mr. COHN. No organization of any kind?

Mr. SILLERS. No.

The CHAIRMAN. Did you hold any office other than financial secretary of UPW?

Mr. SILLERS. No.

The CHAIRMAN. What was the occasion of your leaving government service?

Mr. SILLERS. When?

The CHAIRMAN. When you finally left?

Mr. SILLERS. I decided to give myself a break and do this art work.

The CHAIRMAN. In other words, you resigned?

Mr. SILLERS. Yes.

The CHAIRMAN. Have you ever been the subject of a loyalty investigation or hearing to your knowledge?

Mr. SILLERS. Was I? Oh, yes.

The CHAIRMAN. How many times?

Mr. SILLERS. Once.

The CHAIRMAN. When was that?

Mr. SILLERS. I don't know. It may have been four or five years ago. It is a matter of record.

The CHAIRMAN. Do you have a record of it?

Mr. SILLERS. Yes.

The CHAIRMAN. You have got the transcript?

Mr. SILLERS. No.

The CHAIRMAN. No transcript. What kind of record do you have?

Mr. SILLERS. I have a record that I had a hearing. My notification of the charges, etc.

The CHAIRMAN. You have that yet?

Mr. SILLERS. I couldn't say whether I have or not, but somewhere I must have a record of the hearing unless it has gotten lost.

Senator DIRKSEN. You were formally charged? Were formal charges filed against you? By a loyalty board?

Mr. SILLERS. I had a hearing at Interior, yes.

Senator DIRKSEN. You had formal charges filed against you, and your loyalty was in doubt.

Did you get a notification of some kind to appear before a loyalty board?

Mr. SILLERS. Yes.

Senator DIRKSEN. Did they set out any reason?

Mr. SILLERS. They were alleged to have said this and that.

Senator DIRKSEN. What were these allegations—this and that? You have some recollection.

Mr. SILLERS. I was alleged to have some connection with the Communist party—a Communist.

Senator DIRKSEN. Did they allege you were a member of the Communist party?

Mr. SILLERS. I forget how they worded it, but I will say they did. I don't know.

The CHAIRMAN. You think they said Communist? There might be a fine distinction.

Mr. SILLERS. I can't remember, sir.

The CHAIRMAN. There must have been an allegation of some kind?

Mr. SILLERS. Yes, there was. The thing stated that the man I worked with at Republic Steel made certain allegations. The point was that he probably misinterpreted things I talked about and the board upheld me. Two boards upheld me, and beyond that they never produced this man as a witness to face me. I never did get exactly what they were talking about.

The CHAIRMAN. Who was this man?

Mr. SILLERS. I forget his first name.

The CHAIRMAN. Donald Babcock?

Mr. SILLERS. Yes.

The CHAIRMAN. What was his job at Republic Steel?

Mr. SILLERS. Metallurgist.

The CHAIRMAN. He was an associate of yours?

Mr. SILLERS. Yes.

The CHAIRMAN. Did you know him very well?

Mr. SILLERS. Well, I knew him. I knew him pretty well for a short period of two years.

The CHAIRMAN. You knew him at Republic Steel for a period of two years?

Senator DIRKSEN. Did you know him socially?

Mr. SILLERS. Yes.

Senator DIRKSEN. Did your families get together?

Mr. SILLERS. I had no family there. He didn't either.

Senator DIRKSEN. You saw him socially beyond working hours?

Mr. SILLERS. Yes.

Senator DIRKSEN. Did you appear before the loyalty board in person?

Mr. SILLERS. Yes.

Senator DIRKSEN. And these charges were then made?

Mr. SILLERS. Yes.

Senator DIRKSEN. They read things in meetings and you made some type of answer, either orally or in writing, I assume?

Mr. SILLERS. Well, I answered in writing and orally. That is right.

Senator DIRKSEN. That was about when?

Mr. SILLERS. Well, I can't remember the date.

Senator DIRKSEN. Roughly? How long had you been at the Government Printing Office when these charges were filed?

Mr. SILLERS. I was at Interior. It might have been 1944 or 1945.

Senator DIRKSEN. After you left the Government Printing Office?

Mr. SILLERS. Yes.

The CHAIRMAN. You say you have no transcript of the testimony taken at the hearing?

Mr. SILLERS. No, I did not ask for one.

The CHAIRMAN. Did you have an attorney?

Mr. SILLERS. Joe Forer.

The CHAIRMAN. Was Forer a member of the Communist party at that time?

Mr. SILLERS. Was Forer a member of the Communist party at that time? How in the world would I know? As far as I know he wasn't any such thing.

The CHAIRMAN. Did you meet Mr. Rothschild last night or this morning?

Mr. SILLERS. No.

The CHAIRMAN. When have you last seen him?

Mr. SILLERS. Edward Rothschild?

The CHAIRMAN. Do you know Edward Rothschild?

Mr. SILLERS. I may have.

The CHAIRMAN. You can't recall him now?

Mr. SILLERS. Yes, I—

The CHAIRMAN. Was the answer "Yes"? Do you recall him?

Mr. SILLERS. No. I can't recall him.

The CHAIRMAN. You don't recall ever having met him?

Mr. SILLERS. Yes, I recall him now.

The CHAIRMAN. Tell us what you recall about him?

Mr. SILLERS. He worked in the Government Printing Office. That is about all I know.

The CHAIRMAN. When did you last see or talk to him?

Mr. SILLERS. I wouldn't have the slightest idea.

The CHAIRMAN. Do you recall having seen or talked with him in the last years?

What is your answer to that question?

Mr. SILLERS. When did I last see this guy? I don't remember.

The CHAIRMAN. Do you remember having seen him within the last year?

Mr. SILLERS. No.

The CHAIRMAN. Did you talk to him by phone in the last week?

Mr. SILLERS. No.

The CHAIRMAN. You did not talk to Rothschild by phone?

Is the answer no?

Mr. SILLERS. No, I haven't seen Rothschild for years.

The CHAIRMAN. The question was not: Have you seen him? The question was: Have you talked to him by phone?

Mr. SILLERS. Not that I know of, no.

The CHAIRMAN. Did you talk to anyone who represented himself as Rothschild within the last week?

Mr. SILLERS. No.

The CHAIRMAN. How about Mrs. Rothschild?

Mr. SILLERS. No.

The CHAIRMAN. Did you know Esther Rothschild, his wife?

Mr. SILLERS. Yes.

The CHAIRMAN. Have you been at their home?

Mr. SILLERS. Yes.

The CHAIRMAN. How often?

Mr. SILLERS. Now it comes back to me. Well, I don't know how often. We used to visit back and forth.

The CHAIRMAN. You knew them quite well, didn't you?

Mr. SILLERS. I don't know. It all depends on how well you can know a person.

Senator DIRKSEN. You say visited back and forth. Did they visit your home?

Mr. SILLERS. Yes.

Senator DIRKSEN. How many times were you in his home?

Mr. SILLERS. I couldn't tell you.

Senator DIRKSEN. But you visited back and forth with them, and you are sure Mrs. Rothschild was there and Mr. Rothschild was there?

Mr. SILLERS. Yes.

Senator DIRKSEN. How long ago was that?

Mr. SILLERS. It must have been ten years ago. Seven, eight or ten years ago.

Senator DIRKSEN. The last time you visited his home you say was at least seven years ago?

Mr. SILLERS. I would say 1943 or 1944. I would say it must have been around that.

Senator DIRKSEN. You knew him by that name?

Mr. SILLERS. Yes.

Senator DIRKSEN. Edward Rothschild? And you knew her by the name of Esther Rothschild?

Mr. SILLERS. Yes.

Senator DIRKSEN. Where was his home?

Mr. SILLERS. He lived over in S.E., N.E. or S.E.

Senator DIRKSEN. Was it on Dix Street?

Mr. SILLERS. Yes.

Senator DIRKSEN. What kind of home?

Mr. SILLERS. Private home.

Senator DIRKSEN. Brick or frame?

Mr. SILLERS. I don't know.

Senator DIRKSEN. Have you visited his home more than a dozen times?

Mr. SILLERS. Oh, I doubt it.

Senator DIRKSEN. Would you say about a dozen times?

Mr. SILLERS. I wouldn't think it was that many. Maybe a half dozen.

Senator DIRKSEN. You had dinner with the Rothschilds, at their home?

Mr. SILLERS. Yes, we had dinner with them and had them up to our house.

Senator DIRKSEN. Did they have dinner at your house?

Mr. SILLERS. Yes.

Senator DIRKSEN. About how many times?

Mr. SILLERS. Oh, I don't know. Maybe three or four.

Senator DIRKSEN. The Rothschilds' lawyer asked us to call you as a witness, so we are rather curious to know how well you know them.

Mr. SILLERS. May I say something in a personal way. The relations were never good between the Rothschilds and my wife and I. For a while we were very friendly and then, I don't know; they kind of cooled off.

The CHAIRMAN. You were very friendly for a while?

Mr. SILLERS. I wouldn't say very friendly.

The CHAIRMAN. You see it is rather unusual. You couldn't remember the names of the Rothschilds at first. Now you suddenly recall that you had visited back and forth for dinner at your house and he at yours.

Mr. SILLERS. Not suddenly. When your friendship cools—it has been a long time. When I recalled it, I told you so.

The CHAIRMAN. About how many times have you visited his home—roughly?

Mr. SILLERS. You suggested a dozen. I would say half a dozen.

The CHAIRMAN. And when you visited his home were there people other than the Rothschilds present?

Mr. SILLERS. Yes. There sometimes would be friends around.

The CHAIRMAN. Were there occasions when just you and your wife and Mr. Rothschild and his wife would have dinner at his home—or your home?

Mr. SILLERS. Yes, there would be times like that.

The CHAIRMAN. You would say you were a guest in his home a half dozen times?

Mr. SILLERS. Yes.

The CHAIRMAN. How many times was he a guest in your home?

Mr. SILLERS. Maybe an equal number. Maybe less.

The CHAIRMAN. I understand your testimony to be that the last time you saw Edward Rothschild or Esther Rothschild was about seven years ago?

Mr. SILLERS. Yes, and I think maybe if I can try to remember, maybe it was longer than that, it may be as much as seven or ten years, I don't know.

The CHAIRMAN. Who were some of the other people who attended the dinners when you and the Rothschilds were present?

Mr. SILLERS. I don't know. Sometimes friends would drop in.

The CHAIRMAN. Can you think of any of the names of them?

Mr. SILLERS. No, I can't think of names.

The CHAIRMAN. You can't think of the names of people who were in your house when the Rothschilds were there or in the Rothschild home when you were there?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever tell Donald Babcock that you were a member of the Communist party?

Mr. SILLERS. I wouldn't because I wasn't.

The CHAIRMAN. The answer is "No, you did not"?

Mr. SILLERS. No, I did not.

The CHAIRMAN. Did you tell him you helped form the Washington Bookshop?

Mr. SILLERS. No.

The CHAIRMAN. Did you help form the Washington Bookshop?

Mr. SILLERS. No.

The CHAIRMAN. Were you an officer in the Washington Bookshop?

Mr. SILLERS. No.

Senator DIRKSEN. You were a member?

Mr. SILLERS. Yes.

Senator DIRKSEN. Who asked you to join?

Mr. SILLERS. I joined myself.

Senator DIRKSEN. Did you know that was a front for the Communist party at the time you belonged to it?

Mr. SILLERS. I will put that in the same category as other charges not made officially.

Senator DIRKSEN. Do you now think it was a front for the Communist party at the time you belonged to it?

Mr. SILLERS. I couldn't say.

Senator DIRKSEN. You wouldn't know?

Mr. SILLERS. No.

Senator DIRKSEN. At the time you belonged to it did you think it was either Communist-dominated—

Mr. SILLERS. No, I don't know if it was listed as such.

Senator DIRKSEN. If you thought it were Communist-dominated, or a front for the Communist party, would you have resigned from it?

Mr. SILLERS. That is a hypothetical question.

The CHAIRMAN. I think it is a very simple question. If you had thought at the time that it was Communist-dominated, or a front for the Communist party—

Mr. SILLERS. I don't think that is a fair question. I don't know what I might have thought. I might have thought, "Well, it is under fire—"

The CHAIRMAN. In other words, you don't know whether you would have stayed on as a member if you thought it was Communist-dominated?

Mr. SILLERS. I can't answer that, Senator McCarthy.

The CHAIRMAN. And did you tell the loyalty board about that?

Mr. SILLERS. The Bookshop? I told them I was a member of the Bookshop, etc., and the reason for belonging.

The CHAIRMAN. Did you know a James Phillips?

Mr. SILLERS. No.

The CHAIRMAN. You never met him?

Mr. SILLERS. Who is James Phillips? No, I don't think so. The answer is "no."

The CHAIRMAN. Do you recall a James Phillips who testified in regard to you before the Dies committee?

Mr. SILLERS. No, I didn't know anybody had testified.

The CHAIRMAN. Did you ever know a Navy Yard group of the Communist party?

Mr. SILLERS. No.

The CHAIRMAN. Did you know anyone in such a group?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever attend a meeting of a Navy Yard group which you had reason to believe was a Communist party meeting?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever attend any Communist party meeting with the Rothschilds?

What is the answer to that?

Mr. SILLERS. What was the last question?

The CHAIRMAN. Did you ever attend any Communist party meetings with Edward Rothchild?

Mr. SILLERS. Not that I know of.

The CHAIRMAN. Did you ever attend any meetings with Edward Rothchild?

Mr. SILLERS. No, I don't think so.

The CHAIRMAN. Did you ever attend any meetings in the Navy Yard at which Rothchild was also present?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever attend any meetings at which James Phillips was present?

Mr. SILLERS. I don't recall anybody by the name of Phillips.

The CHAIRMAN. No, you didn't recall the Rothschilds and then you remember you had dinners with them. Would you like to try to recall Phillips?

Have you ever asked anybody to join the Communist party?

Mr. SILLERS. No.

The CHAIRMAN. The answer is "no."

Mr. SILLERS. No.

The CHAIRMAN. Mr. Phillips, will you look at this man carefully and tell whether he is the "Fred" you testified about yesterday?

Mr. SILLERS. Yes, he is.

The CHAIRMAN. Mr. Sillers: Having seen Mr. Phillips, do you recall having met him?

Mr. SILLERS. He doesn't look very familiar. No.

The CHAIRMAN. You don't recall ever meeting him?

Mr. SILLERS. No.

The CHAIRMAN. Will you tell us now that you never suggested he join the Communist party?

Mr. SILLERS. I certainly couldn't have.

The CHAIRMAN. You mean you did not?

Mr. SILLERS. No, I did not.

The CHAIRMAN. Do you recall that you and Rothschild ever together suggested to anyone that he or she joining the Communist party?

Mr. SILLERS. I don't know. Did who suggest?

The CHAIRMAN. Did you and Rothschild together ever ask anyone or suggest to anyone he or she should join the Communist party?

Mr. SILLERS. No.

The CHAIRMAN. You did not?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever attend any meetings in the Rothschild home?

Mr. SILLERS. No.

The CHAIRMAN. Do you know whether or not Communist party meetings were held in the Rothschild home?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever have any reason to believe Mr. Rothschild was a member of the Communist party?

Mr. SILLERS. No.

The CHAIRMAN. Did you have any reason to believe Mrs. Rothschild was a member of the Communist party?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever discuss the Communist party with him?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever discuss the Communist party with Mrs. Rothschild?

Mr. SILLERS. No.

The CHAIRMAN. Was Mrs. Rothschild a member of the Washington Bookshop at the time you were?

Mr. SILLERS. I couldn't tell you. I don't remember that.

The CHAIRMAN. Was Mr. Rothschild a member of the Bookshop when you were?

Mr. SILLERS. I couldn't tell you that.

The CHAIRMAN. Did you ever solicit anyone to join the Washington Bookshop?

Mr. SILLERS. I don't think so.

The CHAIRMAN. Did you ever address literature for the Communist party?

Mr. SILLERS. No.

The CHAIRMAN. Did you ever address literature for any organization?

Mr. SILLERS. Oh, I might have on something like that union, but I can't recall whether I did or not.

Senator DIRKSEN. Did you know a Mr. Charles Gift? Mr. Sillers?

Mr. SILLERS. It is vaguely familiar.

Senator DIRKSEN. Wouldn't you know whether you knew Charles Gift or not?

Mr. SILLERS. I don't remember him.

Senator DIRKSEN. Were you ever at his home?

Mr. SILLERS. No.

Senator DIRKSEN. You are certain about that?

Mr. SILLERS. Well, if I don't remember him, I couldn't remember whether I was there or not.

The CHAIRMAN. Did you know of any Communist activities at the GPO?

Mr. SILLERS. No.

The CHAIRMAN. Do you know anyone now personally who is a member of the Communist party?

Mr. SILLERS. No, not that I know of.

The CHAIRMAN. Did you discuss with anyone whether you should refuse to testify whether you are a Communist party member or use the Fifth Amendment?

Mr. SILLERS. No.

The CHAIRMAN. You did not? You did not discuss with anyone the question of whether or not you should refuse to tell whether you were a member of the Communist party and claim the privilege of the Fifth Amendment?

Mr. SILLERS. I have thought about whether that would be a fair question or not for anybody to answer.

The CHAIRMAN. You mean whether it would be a fair question to answer whether or not you are a member of the party?

Mr. SILLERS. I am not speaking of myself. Say somebody is accused of being a member of the Communist party or having Communist affiliations and according to news reports it appears that if he doesn't answer, on general principles, that they figure that is not a fair question.

The CHAIRMAN. Do you think it is an unfair question to ask a government worker whether he or she is a member of the Communist party?

Mr. SILLERS. It is a law so that is right. It is a fair question. "Yes."

The CHAIRMAN. The question which you haven't answered yet is: Did you discuss with anyone whether you should refuse to tell whether you are a member of the Communist party—

Mr. SILLERS. No.

The CHAIRMAN. You did not?

Mr. SILLERS. No.

The CHAIRMAN. And claim the privilege of the Fifth Amendment?

Mr. SILLERS. No.

The CHAIRMAN. I think we have covered this already but I want to get it on the record very clearly.

Your positive testimony today is that you have never been a member of the Communist party; that you never solicited anyone to join the Communist party; that you were never asked to join the Communist party?

Mr. SILLERS. That is right.

The CHAIRMAN. And that you don't know any members of the Communist party?

Mr. SILLERS. That is right.

The CHAIRMAN. What is your wife's first name?

Mr. SILLERS. Charlotte. On a personality basis, I don't care to discuss her. Her name is "Charlotte." She is my wife. I don't care to have her discussed.

The CHAIRMAN. If we ask any questions which your counsel thinks are improper, you have the right to refuse to answer. I am sure he will advise you on that. We are dealing with a very important matter today.

Mr. SILLERS. On a personal basis, I don't care to discuss my wife.

The CHAIRMAN. Why don't you wait until we ask the question.

Was your wife a member of the Communist party?

Mr. SILLERS. Of course not.

The CHAIRMAN. She never has been a member of the Communist party?

Mr. SILLERS. No.

The CHAIRMAN. Did she ever attend Communist meetings?

Mr. SILLERS. Again, I don't like this at all, as an American custom, my wife's name dragged into this. I am not going to answer any questions for her.

The CHAIRMAN. Do you know whether she ever attended any Communist party meetings?

Mr. SILLERS. I am sure I couldn't tell you and I will not answer for her.

The CHAIRMAN. Your answer is that you do not know if she attended any Communist meetings?

Mr. SILLERS. That is right.

[Consults with counsel.]

Mr. McCarthy, Mr. Rein advised me that I have a right not to talk about my wife on the basis of personal relationship. He says I appeared to be ambiguous and I have answered for her. If there is anything I have answered, I assure you I didn't intend to.

The CHAIRMAN. Your lawyer has correctly advised you. You are not required to answer any questions involving any personal relationships. You are not required to answer anything that occurred when only you and your wife were present—confidential relationship. This committee had no right to go into any confidential relationship between you and your wife.

Mr. SILLERS. I am very firm on that whatever the legal angle is.

The CHAIRMAN. You have that right.

Let me ask you this question, and I am not including any knowledge you received confidentially from your wife when just you and she were together. Is it your knowledge she never attended a Communist party meeting?

Mr. SILLERS. To my knowledge. I don't know what is covered, I am not answering for her and I—

The CHAIRMAN. It is a very simple question.

The question is: To your knowledge did your wife ever attend a Communist party meeting. You can refuse to answer that?

Mr. SILLERS. I will not involve my wife in any regard. I don't care to answer it and I don't know what is covered and what is not covered.

The CHAIRMAN. Then I would suggest each time we ask you a question you discuss the matter with your lawyer. You have a perfect right to do that. You can't make any blanket refusal. There are only certain privileges which you have. Your lawyer has correctly advised you. If you have any question, take all the time you want to discuss it with Mr. Rein.

The question is: To your knowledge did your wife ever attend a Communist party meeting?

Mr. SILLERS. I am a little bit perturbed and I hope you will give me time to recover my temper. Let's say the relationship is so sa-

cred, I don't care to discuss it. If it is to my knowledge, I don't think she did. I don't want to answer whether she did or didn't.

The CHAIRMAN. Let's rephrase the question.

Mr. SILLERS. I don't want to discuss my wife.

The CHAIRMAN. Let's rephrase the question. Did you and your wife, in the presence of other people, attend Communist party meetings?

Mr. SILLERS. Sir, you say no blanket refusal. To each question I will have to say "no" because I don't know where the law ends and decency begins and, I am not going to talk about her.

The CHAIRMAN. You mean you refuse to tell us whether you and your wife ever attended a Communist party meeting?

Mr. SILLERS. No, I didn't say that. She never did as far as I know.

I asked you to give me a chance to recover my temper.

The CHAIRMAN. Did you ever attend what you considered to be a Communist meeting in the home of Edward Rothschild?

Mr. SILLERS. No.

The CHAIRMAN. You did not?

Mr. SILLERS. No.

The CHAIRMAN. What is the largest number of meetings or dinners you attended in the Rothschild home?

Mr. SILLERS. I don't know. I couldn't tell you.

The CHAIRMAN. Were you ever there with a crowd of ten or twenty people?

Mr. SILLERS. No.

The CHAIRMAN. The answer is "No."

Mr. SILLERS. No, that is right.

The CHAIRMAN. It was always a small group?

Mr. SILLERS. It would be a small group.

Senator DIRKSEN. Mr. Sillers, when you came from Niagara Falls to Washington, I believe, you said you did freelance writing. I believe you said you wrote scientific articles, popular science. Was that popular science magazine?

Mr. SILLERS. No, by that name I meant I wrote for a number of magazines.

Senator DIRKSEN. Did you write other articles?

Mr. SILLERS. No.

Senator DIRKSEN. Did you ever contribute to newspapers?

Mr. SILLERS. No.

Senator DIRKSEN. Did you write any articles for the *Daily Worker*?

Mr. SILLERS. No.

Mr. COHN. Have you ever been a reader of the *Daily Worker*?

Mr. SILLERS. No.

Mr. COHN. Did you ever contribute to it?

Mr. SILLERS. No.

Mr. COHN. You never had any connection with the American League for Peace and Democracy?

Mr. SILLERS. No.

Mr. COHN. Did you ever live on Upshur Street?

Mr. SILLERS. Yes.

Mr. COHN. Could you explain why the list—American List for Peace and Democracy—contains your name?

Mr. SILLERS. It doesn't.

Mr. COHN. Don't say it doesn't. It does.

Mr. SILLERS. I don't see how it could.

Mr. COHN. Do you know any other Frederick Sillers who lived on Upshur Street?

Mr. SILLERS. No, of course not.

Mr. COHN. On this Washington Bookshop, did I understand your testimony to be that if you believed the Washington Bookshop a Communist front, you would have stayed?

Mr. SILLERS. I say again. That is hypothetical.

Mr. COHN. Did you give that same answer to the loyalty board—if they asked you.

Mr. SILLERS. They didn't ask me.

Mr. COHN. They didn't ask you whether you would have stayed on if you had known it was a Communist party front?

Mr. SILLERS. No.

The CHAIRMAN. Who appeared as witnesses for or against you at the loyalty hearing?

Mr. SILLERS. Associates on the job, and former associates.

The CHAIRMAN. What were their names?

Mr. SILLERS. It is a matter of record.

The CHAIRMAN. Give us the names of your witnesses who appeared for you; who were they?

Mr. SILLERS. Mr. Ralston.

The CHAIRMAN. Do you know his first name?

Mr. SILLERS. E. C.

The CHAIRMAN. He appeared in your behalf?

Mr. SILLERS. He appeared to testify and answer whatever questions they asked.

The CHAIRMAN. Were you present at the time?

Mr. SILLERS. Yes.

The CHAIRMAN. If you could list for us the witnesses you considered as your witnesses—friendly to you—and those who appeared against you—

Mr. SILLERS. No one gave unfriendly testimony. There wasn't anyone who gave unfriendly testimony to me, and I was present the whole time.

The CHAIRMAN. Was Mr. Babcock called?

Mr. SILLERS. No.

The CHAIRMAN. He made the original accusation that you were a member of the Communist party? It was on his statement that they based the allegations, and he was not called as a witness?

Mr. SILLERS. The answer is "no."

The CHAIRMAN. Do you know who was on the board?

Mr. SILLERS. Senator McCarthy, honestly. You can get the files on that. I had the regular set-up there—four or five members.

The CHAIRMAN. Do you know who was on the board? If you know, say so. If you don't know, tell us.

Mr. SILLERS. Mr. White was chairman. Maston White was chairman.

The CHAIRMAN. What is his job?

Mr. SILLERS. Solicitor—or something.

Senator DIRKSEN. He is solicitor for the Department of Agriculture, isn't he?

Mr. SILLERS. He didn't work for Agriculture. He was chairman of the board at Interior.

The CHAIRMAN. Can you list the other witnesses who appeared?

Mr. SILLERS. Yes. Mr. Waggaman.

The CHAIRMAN. Was he from GPO?

Mr. SILLERS. From Interior, where I worked.

The CHAIRMAN. How do you spell that?

Mr. SILLERS. W-a-g-g-a-m-a-n.

The CHAIRMAN. Who else?

Mr. SILLERS. I'd like to ask my counsel. I figure this is a matter of record at the Department of Interior.

Mr. G. Willard Quick, Bureau of Standards.

Mr. Hardy K. Hermann, Bureau of Standards.

I think there were some others, but I can't remember them.

The CHAIRMAN. In any event, the board didn't call anyone who made charges of your Communist connections or that you were a Communist?

Mr. SILLERS. I was called to have this hearing and was allowed to bring witnesses, and there was nobody, I say, who presented charges against me.

The CHAIRMAN. In other words, the only witnesses called were the witnesses you brought. Is that correct?

Mr. SILLERS. That is correct.

Mr. REIN. I don't want to interrupt, but this witness wouldn't know whether the board called anybody. What he would know was who appeared. He wouldn't know whether the board called Mr. Babcock and he didn't know.

The CHAIRMAN. You are distinguishing between being called and being there.

The only people present who testified were those whom you brought?

Mr. SILLERS. I was present.

The CHAIRMAN. You understand the question, don't you?

The only people present who were present and testified were people whom you brought, is that right?

Mr. SILLERS. That is right.

The CHAIRMAN. You don't know who the board had tried to call?

In any event, no one appeared as an adverse witness. No one made charges of Communist connections or Communist activities.

Mr. SILLERS. Yes.

The CHAIRMAN. How many people in the Interior Department were members of UPW while you were financial secretary?

Mr. SILLERS. Oh, maybe there were thirty. I don't know. They left one by one.

The CHAIRMAN. Do you have any of the records which you kept as financial secretary.

Mr. SILLERS. All I had was a bank balance and I turned it over to the local—

The CHAIRMAN. What was that the maximum membership?

Mr. SILLERS. I daresay it was more. I would say—

The CHAIRMAN. Well, you would know from the dues that came in.

Mr. SILLERS. Maybe thirty. I don't remember that at all.

The CHAIRMAN. Could it have been as many as one hundred or two hundred?

Mr. SILLERS. Not while I was secretary.

The CHAIRMAN. As an outside figure, what would you say the maximum membership was when you were financial secretary?

Mr. SILLERS. I have to think on that one.

The CHAIRMAN. I would think that would leave a pretty clear impression in your mind.

Mr. SILLERS. Some members keep up with their dues and members that don't and at the time—sometimes there would be more and sometimes less. I would say about thirty is what I remember.

Mr. COHN. I want to ask you this Mr. Sillers. Who do you think was at fault—who started the Korean War?

Mr. SILLERS. Listen. Those questions—I think that is asking me my opinion. My opinion is no better than anybody else's. I might be right and I might be wrong and it is a question of—Well, I don't know—You are asking me what I would think. Those are the questions that I think a witness has a perfect right not to answer just on the basis they don't want their thoughts controlled.

The CHAIRMAN. Did you consider Joe Stalin a ruthless, bloody dictator?

Mr. SILLERS. These questions to me are, and I don't want to use the wrong word—sort of on the fence. I will just say I don't care to discuss it. These matters are ones of thought and opinion.

The CHAIRMAN. Did you refuse to answer whether or not you consider Stalin a ruthless and bloody dictator?

Mr. SILLERS. How can you answer what you thought. I might think one thing one time and another at another time. I don't think that is fair questioning. I don't know much about law. I don't think it would stand up in a court of law to ask a question like that.

The CHAIRMAN. We consider it fair. We have positive testimony that you were a member of the Communist party, and we think it is fair to ask you about what you think of the leader of the Communist party. That has some bearing upon the question. I am going to make you answer that question if I have to order you to answer it.

The question is: Did you consider Stalin, while he was head of the Communist party, as a ruthless, bloody dictator?

Mr. SILLERS. I cannot say. That is my answer.

The CHAIRMAN. You mean you don't know whether you thought he was or not?

Mr. SILLERS. That is right.

The CHAIRMAN. Today, do you think he was?

Mr. SILLERS. I can't answer that, either.

The CHAIRMAN. You mean you don't know whether he was or not?

Mr. SILLERS. That is right.

The CHAIRMAN. While you were working in the government, did you consider the Communist form of government superior to ours?

Mr. SILLERS. That is a hypothetical question. I always maintained—

The CHAIRMAN. There is nothing hypothetical about that.

The question is: When you were working for our government, did you consider the Communist system superior to ours?

Mr. SILLERS. I wouldn't know. I never lived under it. I have said that our form of government, the Constitution and everything that goes with it, all have laws and implementations, are rights. The thing is, it must be enforced. Any ideas I may have about the situation today can be taken care of by our Constitution and I mean ours.

The CHAIRMAN. I am asking you a very simple question.

Did you consider the Communist system superior to ours?

Mr. SILLERS. No.

The CHAIRMAN. Your answer is you did not?

Mr. SILLERS. No.

The CHAIRMAN. Did you consider it a system not as good as ours?

Mr. SILLERS. I have no opinion about it.

The CHAIRMAN. It is not a question of what you have now.

At the time you were working in the government, you had no opinion as to whether the Communist system was a poorer system than ours?

Mr. SILLERS. That is right.

The CHAIRMAN. You had no opinion?

Mr. SILLERS. That is right,

The CHAIRMAN. Mr. Sillers, when you were a member of UPW and they held a national convention at Atlantic City—

Mr. SILLERS. I recall that.

The CHAIRMAN. Was Mr. Fletcher president then?

Mr. SILLERS. I don't remember.

The CHAIRMAN. Did you attend that convention?

Mr. SILLERS. No.

The CHAIRMAN. Did you attend any of their conventions?

Mr. SILLERS. No.

The CHAIRMAN. Did you recall at the Atlantic City convention a resolution was introduced by one group of UPW asserting the right to strike against the government. Do you recall that controversy?

Mr. SILLERS. No.

The CHAIRMAN. Did you participate?

Mr. SILLERS. No.

The CHAIRMAN. Did you express any opinion?

Mr. SILLERS. I don't recall the resolution, as a matter of fact.

Mr. COHN. At any time during your government employment, did you ever see any classified material?

Mr. SILLERS. No.

What do you mean, classified?

Mr. COHN. Everything. Restricted, confidential or secret. Well, restricted, not classified.

Mr. SILLERS. Confidential I used to handle. Everything to do with my work.

Senator DIRKSEN. Where did you handle those?

Mr. SILLERS. Interior.

Senator DIRKSEN. Did you handle any at Government Printing Office?

Mr. SILLERS. No.

Senator DIRKSEN. Did you ever see any at the Government Printing Office?

Mr. SILLERS. I wasn't in that department. I worked in chemical metallurgy.

The CHAIRMAN. When you worked in the Government Printing Office, did you have access, go through rooms bringing up confidential material?

Mr. SILLERS. Not that I know of. I used to have to go to different sections to see about different things. They had their inspector—

Senator DIRKSEN. You say in the Interior Department you handled confidential materials?

Mr. SILLERS. Yes.

The CHAIRMAN. After the loyalty board hearing did you continue to handle confidential material?

Mr. SILLERS. Before the loyalty board hearing, I don't think they had classifications. Afterwards, I handled confidential.

The CHAIRMAN. Did you handle confidential material up to the time you left the government this year?

Mr. SILLERS. Yes.

The CHAIRMAN. Mr. Sillers, in a general way, what was the nature of the confidential material that you handled in Interior? It related to what general subject matter?

Mr. SILLERS. Manganese was my specialty.

The CHAIRMAN. Nothing relating to atomic energy or uranium or plutonium?

Mr. SILLERS. I dealt entirely in manganese and related steel and alloys.

The CHAIRMAN. Would you gentlemen step outside, please.

#### TESTIMONY OF GERTRUDE EVANS

The CHAIRMAN. Will you stand and be sworn? In the matter now in hearing, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. EVANS. I do.

Mr. COHN. Mrs. Evans, have you ever been a member of the Communist party?

Mrs. EVANS. I refuse to answer on the Fifth Amendment, self-incrimination. I also want to state, I protest. I was unable—I have not a lawyer. I did not have time to consult with my lawyer. I would like, on that basis, to ask for a postponement.

The CHAIRMAN. I think, Mrs. Evans, you are entitled to that.

Mrs. EVANS. You see I got the subpoena about 10:30. My attorney was tied up.

The CHAIRMAN. May I say you were not called at the request of the committee. You were called at the request of one of the other people involved, who asked that you be called in executive session. One of the individuals who appeared here asked that you be called and we agreed to have you called.

You have requested to have time to consult your lawyer, I think that is a reasonable request. How much time would you like?

Mrs. EVANS. I would like a couple of days. Of course, I don't know I will have to go see him and find out whether he is available between now and Thursday. Would that be agreeable to the committee?

The CHAIRMAN. How about Thursday morning. Counsel can check. If your lawyer is in court or something—

Mrs. EVANS. If I would have time to consult with him.

The CHAIRMAN. Who is your lawyer?

Mrs. EVANS. Mr. Joseph Forer.

Mr. COHN. I know Mr. Forer. I will be glad to talk to him.

Mrs. EVANS. Thursday would be agreeable with me if Mr. Forer considered it that.

The CHAIRMAN. We will make it 10:30 Thursday morning. In the meantime Mr. Cohn will contact Mr. Forer. If Mr. Forer would rather be here Thursday afternoon, we will work that out.

Mrs. EVANS. Thank you for your courtesy.

### TESTIMONY OF CHARLES GIFT

The CHAIRMAN. Mr. Gift, will you stand and be sworn? In the matter now in hearing before the committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GIFT. Yes, sir.

Mr. COHN. Your full name, please?

Mr. GIFT. Charles D. Gift.

Mr. COHN. And your address?

Mr. GIFT. 70 Rhode Island Avenue.

Mr. COHN. Have you ever worked for the United States government?

Mr. GIFT. Yes.

Mr. COHN. In what agency or department?

Mr. GIFT. Navy.

The CHAIRMAN. Mr. Gift has had very short notice to be here. One of the other parties involved has asked that you be subpoenaed, otherwise we would have given you more notice. If you feel additional time is needed to have counsel, we will be glad to give you time to have counsel.

I don't know if you know the rules of the committee, but you can have counsel and he is free to advise you at any time during the hearing. If you feel this is too sudden, we will be glad to give you additional time.

Mr. GIFT. They caught me short.

The CHAIRMAN. Would you prefer time to get counsel?

Mr. GIFT. Yes.

The CHAIRMAN. How much time?

Mr. GIFT. Three or four days, something like that.

The CHAIRMAN. How about Thursday morning or Thursday afternoon?

Mr. GIFT. As far as I know, I don't have counsel yet.

The CHAIRMAN. Let's set it at ten o'clock Thursday morning. If you have trouble with counsel, have your lawyer call Mr. Cohn or Mr. Carr here at the committee.

You know how to get hold of counsel?

Mr. GIFT. Yes, I can make a note of the number.

Mr. CARR. It is National 8-3120, extension 1145.

Mr. GIFT. That will help me a whole lot.

The CHAIRMAN. You are entitled to that time. You are excused until Thursday morning at ten o'clock.

[Whereupon, the hearing adjourned at 12:20 p.m.]

## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—The Public Printer, Raymond Blattenberger, and Deputy Public Printer, Phillip L. Cole, testified before the subcommittee in a public hearing on August 29, 1953. At a news conference on August 21, Cole denied that the Government Printing Office's security was lax or that it had leaked secret material. He said that nuclear secrets were not made available to GPO employees, that very little secret or top secret material was processed there, and that agencies responsible for atomic secrets maintained their own printing facilities and security systems.]

TUESDAY, AUGUST 11, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 3:00 p.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Everett M. Dirksen, Republican, Illinois.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Richard O'Melia, general counsel, Committee on Government Operations; Ruth Young Watt, chief clerk.

### TESTIMONY OF RAYMOND BLATTENBERGER, PUBLIC PRINTER, GOVERNMENT PRINTING OFFICE

The CHAIRMAN. Will you gentlemen raise your right hand and be sworn.

In the matter now in hearing before the committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BLATTENBERGER and Mr. COLE. I do.

The CHAIRMAN. The principal reason we asked you both to come over is to give us a picture—to find out just how much classified material is handled over in the Government Printing Office—how much top secret, secret, confidential and restricted.

We have a report that classified material is handled by GPO. I assume you gentlemen are fully informed on the testimony here the last couple of days. If you are not, it will be made available to you.

Mr. BLATTENBERGER. All we know is what has been in the papers. I said, "Well, in the words of [Will] Rogers, all I know is what I read in the papers."

The CHAIRMAN. We will make available to you a transcript of the testimony.

If I may just quickly review the testimony for your benefit, we have the testimony of Mrs. Markward who was an FBI employee

and as such joined the Communist party and worked for them; attended Communist meetings constantly over the past five or ten years, up until 1949; and I understand—I have not confirmed this with the bureau—I understand that she submitted reports constantly as to the meetings she attended, where she attended, whose home, who appeared at the meetings, etc.

She identifies Mrs. Rothschild as an active member of the Communist party over a sizeable number of years. She attended Communist meetings in the Rothschild home and gave the name of other places where she attended Communist meetings with Mrs. Rothschild.

Mr. Rothschild has been identified under oath as a man who solicited other men to join the Communist party.

[Off-the-record discussion.]

Senator DIRKSEN. Well, I thought the first thing we would like to know—let us ask Mr. Blattenberger—you have been there how long?

Mr. BLATTENBERGER. I have been there three months and of course, I came along not being in any position to answer questions other than I just wanted to put in an appearance.

Mr. Cole has been there thirty years and has been the deputy for the last five years. I find I have got a lot of things to learn. One of the things I am trying to do is set up budget meetings with the idea of trying to save manpower. Gradually, I am trying to get on top of things.

Of course, as you well know, I have been pretty busy with communications from my friends on the Hill, trying to satisfy the people inside and outside, so I, of course, have not noticed security regulations. I can imagine security restricted work is done there, but I haven't entered into any of that. I know Mr. Cole has been, and I retained him as my deputy.

Senator DIRKSEN. We assume, of course, the government printing plant is a large plant with a number of people, and you certainly could not familiarize yourself with everything in this short period, and Mr. Cole no doubt would be familiar with it.

Mr. BLATTENBERGER. When my term is over, I hope to be somewhere near the top of it.

The CHAIRMAN. I think the first line of inquiry, and I think Mr. Cole can answer this by way of a general statement, the first question then would be: How much work has the International Information Administration had done by way of publications and printing at the Library of Congress? Would it be substantially all of their work or only a part of it? Would you be in a position to indicate?

**TESTIMONY OF PHILLIP L. COLE, DEPUTY PUBLIC PRINTER,  
GOVERNMENT PRINTING OFFICE**

Mr. COLE. No. The name of the outfit is not even familiar to me.

The CHAIRMAN. It is the Voice of America.

Mr. COLE. I would guess Voice of America material would come through the State Department as a State Department job and wouldn't be identified, as far as I am concerned, with Voice of America.

The CHAIRMAN. How much a volume of State Department do you do? Just in a general way.

Mr. COLE. You are in figures that are going to be awfully hard. The State Department is one of our largest customers.

The CHAIRMAN. In the State Department is there a substantial amount of restricted, confidential, secret and top secret work?

Mr. COLE. The answer would be that there is. There is some qualification to that. The GPO, as we know it, over here on North Capitol Street handled some secret, some top secret, a good deal of confidential, and a mass of restricted material for all defense agencies and all the rest.

Most of the top secret material is handled in a separate plant, known as the State Department GPO plant, and that is a security cleared plant with every employee in it having clearance by the CIA system, FBI classification, and they do Atomic Energy, State Department, the Defense agencies and CIA work of a top secret nature in that secured plant.

The CHAIRMAN. Now, then you have how many plants all together?

Mr. COLE. Well, we have the main GPO plant, Field Service Office plant in Washington, which is a duplicating plant; then this top secret plant at the State Department in the State Department Office; then we have our four other field plants around the country. One is in New York, one in Denver, one in Seattle and one in San Francisco. We have a highly confidential or secret plant in the Supreme Court. That is a very small unit with four or five people who handle advance opinion of the Supreme Court in that building. We have a single man at the Smithsonian Institute who does nothing but label stuff, exhibit cases. We have a rather large bindery in the Library of Congress building.

The CHAIRMAN. Is all of the secret, confidential or classified work done in the one plant?

Mr. COLE. No, the great mass of secret work is done at the State Department Office plant. However, last year in the main office we had 250 secret and top secret jobs. Practically all of those were secret, although there were a few top secret jobs in there.

We had 250 secret or top secret jobs in the plant last year and they were made up of all of our customers who do secret work. That would be defense agencies, State Department, Atomic Energy, probably, although most likely all of Atomic Energy secret work was done in the State Department plant.

Mr. COHN. How about CIA?

Mr. COLE. Probably not CIA. I can't say offhand. CIA generally does its own work or has it done in the State Department plant.

The CHAIRMAN. I think in that connection we want this pinned down definitely. When you say probably, it may be "yes." There should be someone you could call and have them over. I would like to know, and I am sure Senator Dirksen would, the extent to which top secret work of Atomic Energy, CIA, State Department, military or other branches of the government is handled.

I might say the witness has testified—Rothschild has testified—that secret material has been handled in the general plant.

Mr. COLE. We have 250 jobs. I would have to go back through the records.

The CHAIRMAN. The thing I would like to know—I am not concerned with how many top secret jobs CIA, Atomic Energy has had.

The number is not important. One can be as important as fifty top secret jobs.

I would like to know whether or not all have been represented in the 250 jobs done in the general plant?

Mr. COLE. That I can find for you with very little trouble.

The CHAIRMAN. I wonder if you could phone someone in your plant now and have them bring over that information. I assume that is readily available.

Mr. COLE. It is going to take some research to do it. We are going to have to go through the records. I will be glad to bring it back tomorrow or anytime you want.

Senator DIRKSEN. Is the State Department plant complete in itself and does everything, including binding?

Mr. COLE. Yes, what little binding that we do. Binding for the State Department is not a very extensive thing. Most of it is wire stitched, punched, rings—generally small rung stuff. They do not have a complete bindery.

Senator DIRKSEN. Now, still going back to the State Department plant, what is the degree of security required from all the employees or are there some who are not given a security rating?

Mr. COLE. All employees are required to have the top clearance and that is the CIA, or the Atomic Energy, whichever is the greater. That is the state of security of everybody in the plant. They are all security tested. We supply personnel for the plant but very often it takes two or three months before a person is available for the plant because of the intensive investigation.

Senator DIRKSEN. And is that security required for all grades and classifications including the custodial service?

Mr. COLE. The custodial service does not belong to us. It would not be our employees. Our employees are the actual workers in the plant.

Senator DIRKSEN. Now, I wonder, Mr. Cole, if you can tell us how the matter is handled over there and how these top secret documents and publications are monitored and kept under surveillance. If everybody is given top security clearance, I suppose it doesn't make too much difference. Is there some special surveillance?

Mr. COLE. At the State Department plant all of the work is under the direct control of the head of the organization and there is only 106 employees in that plant, so it is rather a compact group and the heads know who has the job at all times and where it is because of the fact it is such a small plant with 106 employees.

Senator DIRKSEN. Now then, what would be the situation in the main plant with respect to handling secret and top secret publications?

Mr. COLE. The situation in the main plant of the GPO—

Senator DIRKSEN. I wonder if you could take it this way, in more or less chronological order, from the time it is brought up by special messenger and handed to someone in GPO. Follow all the way through until the publication has been completed and goes back into the vault—until such time as it is picked up by the agency for whom it is done?

Mr. COLE. Yes, sir. The top secret and secret work has been done in GPO probably as long as the GPO has been in existence. During my years there secret and top secret work have been handled

through a routine, a single tract, and it has been handled through the production manager's offices. The requisition comes into the production manager's office, where it loses its identity by title and department. It is assigned a GPO number and from there on it is known as 6974 or whatever number it is given and not by a requisition, etc. After it comes in it immediately loses its identity as to departments. It goes from the production manager's office into the plant manager's office or into the Plant Planning Division and it is handled by the superintendent and the top line officials all down through the plant. Normal material doesn't follow this routine. It is hand-carried, receipts are signed for it in every instance with the material going through all of the various places.

The job goes through any number of operations in the plant. Being a big plant, it is of course impossible to assemble all of the equipment in one spot. We handle the job partly on this floor and it moves to another wing down two blocks. The jobs have to be scheduled around the plant where the equipment is. In each instance receipts are obtained and given for handling of the operation. Secret material is handled by top line officials all down through the plant. Secret or top secret jobs are never left on the floor unattended. If for any reason they stay overnight, they are locked in the vault or parts of it are locked in the vault.

Senator DIRKSEN. When the job is completed it is returned to the production manager's office and delivery is made from his office.

Mr. COLE. It used to be years gone by that was true in every case because secret work had very few copies—just a few copies. In the past few years that has not been the case because of the quantity of secret documents, ranging from 250 to 20,000, depending on what job and how big the job was. We couldn't move skid loads of books or material to the production manager's office. It has to be delivered to the platform for the agency to pick it up. Any secret or top secret material that is carried on trucks always has the head of the delivery section go with it; obtain receipts when the handling agency picks it up, although in most cases where the number of printing jobs are small, the delivery is made directly from the production manager's office. That is not the case where large quantities are ordered and it becomes necessary to move a mass of material. In all cases where we make truck deliveries, the head of the delivery service rides the truck in order to obtain the proper receipts from the people the work is going to.

Senator DIRKSEN. Now, when a job gets a GPO number, obviously the first place it goes is to the typesetter machine or linotype or monotype.

Mr. COLE. It goes through a series of planning operations to determine what is going to be done with it,

Senator DIRKSEN. Then the jacket—

Mr. COLE. When the job comes in it receives a GPO number and then it goes to the planning division. The planning division determines what has to be done, what machinery will be used, the schedule and the general procedure, issue the paper and that type of thing. All of this information is written on the face of the jacket which becomes a job ticket, so to speak, for the people in the plant.

Senator DIRKSEN. When a copy is given to a machine operator, is that particular machine operator given a security clearance?

Mr. COLE. No. The security clearance—We have asked for 176 sensitive clearances under the new loyalty regulations. So far we do not have those, but we have in the plant 200 security representatives who have been security cleared to handle, monitor and watch this material and that is done on all confidential as well as secret and top secret work.

Senator DIRKSEN. And in addition to that you have the top layer officials handling and watching the material?

Mr. COLE. When a job is given to a linotype operator, he sees a very small piece of it since it is copy edited and cut into small sections, maybe a single typewritten page, maybe half, depending on the speed. A faster job would be a smaller section. They might handle two or three but they would not be in any sequence.

Senator DIRKSEN. When the printing is done, it has to go finally to the bookbinding room for gatherings possibly stitching, and possibly for a card binder of some kind?

Mr. COLE. That is right.

Senator DIRKSEN. What about people book gathering, or book binding?

Mr. COLE. No, they would not have security clearance as the clearance given to the State Department people. The particular people handling the key jobs have been put before the new committee for a new security clearance. However, the monitors are watching the job the whole time it is going through. When it is in the bindery, the security representative is with the job.

The CHAIRMAN. The people who gather the material, I am speaking of secret and top secret material, do not have the type of security clearance that those over in the State Department building have?

Mr. COLE. That is right.

The CHAIRMAN. Would that mean that anyone working in the GPO as a gatherer might or might not be assigned to secret, top secret gathering?

Mr. COLE. No, sir. The group of people who are assigned to that work are people that we have reason to believe are the best employees, the most loyal employees.

Senator DIRKSEN. In any case, where an employee, the loyalty of an employee has been questioned, whether the result was favorable or not in his case, he is not given that kind of an assignment?

Mr. COLE. That is right.

Senator DIRKSEN. Now, if there were an employee in the gathering and bookbinding section who wanted to purloin one of these documents after it had been completed and stitched and ready to go in the vault, how difficult would it be for him to snitch it and put the book in his shirt, for instance, and carry it out of GPO?

Mr. COLE. We believe it would be almost impossible, but I am not going to say it is impossible. We all know things like that could happen, but the degree of security handling involved in this thing would, in my estimation, practically eliminate that kind of chance. Everything is counted. Everything is counted, even all of the spoiled copies, even the old sheets off the press, that type of thing. They are returned to the production manager for destruction in the incinerator. The chance of actually losing a publication off the stack would be very remote.

Senator DIRKSEN. Those are machine counted?

Mr. COLE. In some cases. In most cases they are hand counted.

Senator DIRKSEN. I asked the question yesterday of one of the witnesses whether in case an order came for five thousand copies of a certain secret document, in how many instances there might be an overrun of ten or fifty or one hundred copies.

Mr. COLE. There would be an overrun in practically every case because in the printing business you never start out with the same figure you end up with because of spoilage all along the line. Some-one is going to slip. It will take a couple of books to get the machine started. All of the copies are accounted for to the production manager. We know how many sheets started on the job. We know how many sheets we end up within the bindery. We know the number of sheets of spoilage, etc. We know when we have finished a job calling for five thousand copies, whether we delivered twenty short or had five over. It is known in the production manager's office.

Senator DIRKSEN. Have there been instances where copy sheets disappeared and couldn't be accounted for?

Mr. COLE. I would say "no." We have had cases where material turned up in unexpected places, where shipments had been made and packages broken and that type of things, but that has been scattered over a long period of time. There would be a few of those cases, but generally speaking, and it is so general I would say it is almost obsolete, all of the delivery of this secret and top secret job is handled by the department during the order. When we turn it over to the department, we lost track of it. How it is handled from there on in is their problem.

Senator DIRKSEN. We had testimony yesterday to the effect that a certain employee had taken one of those documents, eased it over to the edge of her machine and gradually put her purse on it; then when quitting time came she put it in her pocket. Somebody saw her and reported it and she was then brought into the production manager's office and asked why she had the book, and she said that she was curious about it. We didn't have any testimony that this was discovered as a result of a check or count. She was only seen and reported.

Mr. COLE. That was the Lomack case. Yes, that was—Lomack was before the loyalty board as a possible loyalty suspect and she had a background which lent a lot of weight—the fact she might have made tours through Russia and what not. The evidence, as evidence before the loyalty board, was not conclusive. The board wanted to discharge Lomack but the feeling was that the discharge was because she was generally no good rather than the fact she was a loyalty suspect and that they were using the loyalty as a basis, as a means of getting rid of an undesirable employee. Now, the fact is she should have been fired long before that as an undesirable employee rather than on this loyalty basis. That case came to review before me and I found from the evidence that the board had not convinced us that she should have been fired as a loyalty case and it was immediately after that that this incident occurred where she picked up one of the pieces as it came from the folding machine. The security people brought her right on into the office

with the material and then she was separated for that particular offense at that particular time.

The CHAIRMAN. You said immediately separated?

Mr. COLE. She was separated directly because of that incident.

The CHAIRMAN. That seems to be in conflict with testimony given yesterday, if I recall correct. I think the testimony was that she was around in the same job approximately three months after that time and had the same access to classified material she had before.

Mr. COLE. No. The three months probably is the three months from the time that the loyalty operation went into effect until the time that she picked up this material. This material, supposedly at the time was picked up in passing, not because she was working on it.

Mr. COHN. Did I understand the sequence correctly?

What was the finding of the loyalty board?

Mr. COLE. The GPO board recommended dismissal.

Mr. COHN. On loyalty grounds?

Mr. COLE. On loyalty grounds.

Mr. COHN. And you overruled that?

Mr. COLE. Then this incident occurred afterwards.

Senator DIRKSEN. How many loyalty hearings have been conducted in GPO since it was set up?

Mr. COLE. We have had thirty full field investigations that were handled by our loyalty board prior to the time that the other agency took it over. We had twenty-three cases that have been referred to that board with field investigations or partial FBI field investigations. We have nineteen people that had field reports on them in which favorable findings were made and they were not discharged and of those twenty, including Rothschild and he fitted into that category, out of those twenty, all twenty of them are still employed with one exception who has applied for disability retirement.

The CHAIRMAN. Rothschild was the subject of a loyalty hearing and what did the board find in his case?

Mr. COLE. Rothschild was entered "derogatory" in 1948. He was sent a letter of charges 8/30/48. He had two hearings and the report was favorable; that the evidence was conclusive at the time. It went to the loyalty review board for post audit and it was closed when it was returned from the loyalty review board after their audit.

The CHAIRMAN. I am rather curious about the Rothschild case. The GPO loyalty board had information to the effect his wife was a member of the Communist party. Rothschild offers to produce his wife to answer questions. The loyalty board never interrogated her.

Mr. COLE. The record shows that.

The CHAIRMAN. Do you think that was a good practice?

Mr. COLE. Well. I don't know. I can't answer for the loyalty board's operations, but I would think it wasn't. However, the board did interrogate a great number of people in that case.

The CHAIRMAN. In that connection we have had the testimony that one of the—you said interrogated a number of witnesses. We have received from Rothschild's attorney a transcript of the testimony, I have not examined it but my staff has gone over it and apparently the only witnesses interrogated were friendly witnesses.

Much of the transcript consisted of trying to find out who made "these baseless charges" against him that he was a Communist. I assume you were not head of the security branch at that time. You personally weren't responsible.

May I ask this question. Is that practice still followed?

Mr. COLE. We do not have a loyalty board as such. It come under the new regulations where it is handled by the field group.

The CHAIRMAN. Let's go back to a date prior to the new loyalty setup.

Did the loyalty board follow the practice of calling only the witnesses who would clear a man?

Mr. COLE. No, the board, all through its record, has interrogated people that were available and in each case had field reports with the statements from the FBI agent of people they have interrogated.

Mr. COHN. I want to ask you this. In this Rothschild case the FBI must have furnished a report indicating that one of its most reliable informants, an undercover agent of the FBI, had actually attended Communist party meetings at the Rothschild home; knew Mrs. Rothschild as not only a member but a functionary of the Communist party; and in face of that, Rothschild denied all those facts, although he was undoubtedly lying and the FBI agent was telling the truth; even though his wife was offered as a witness, the board didn't go to the trouble.

Mr. COLE. As I recall the information in the Rothschild case, the material in the FBI reports is the usual material in these reports that reliable witness T38-7 something says this and this and this. The most damaging things in the Rothschild case, as I recall, was the fact that an ex-employee, I believe she was in New Orleans, testified that she had seen Rothschild remove confidential material by way of under his shirt.

Now, testimony developed in the case—

Mr. COHN. What is her name?

Mr. COLE. [Cleta] Guess.

It developed that she was an employee—this is from the testimony in the case and from the background as given to me—that she was part of a working team of which he was the bookbinder. In most of those instances you have a bookbinder and then some operatives working with him, either women or men, who handle less intricate work, and she was one of the feelers on a big three-way cutter this man was operating; that there was some kind of difficulty between two girls, she and another girl, on the machine. Rothschild had found in favor of the other party, and her testimony was believed to have been because of that background rather than factual by the board, and the board, I am sure, placed a great deal of weight on the belief that this was a malicious—or an attempt by this person to get back at a man who had been over her and the decision he had made in this affair that had happened between these two girls.

The CHAIRMAN. Is it your understanding that there is nothing in the file to show Mrs. Rothschild was a Communist?

Mr. COLE. The only thing I recall in the file which says she was was that she was believed to have been—Well, I am going on supposition. To answer your question specifically, I do not recall seeing

in the testimony or FBI report that she was a Communist. I had the Rothschild papers on my desk, but only for a few minutes.

Mr. COHN. I looked at the transcript this morning and one of the allegations submitted was very specific, in so many words, that his wife was a member of the Communist party, was the secretary of the Civil Liberties Club of the Communist party, was a member of this unit of the Communist party and that unit of the Communist party.

Mr. COLE. It could be in the report. My plea is I have not gone through the reports.

Mr. COHN. Of course if the FBI says an informant is reliable, that, of course, means he is reliable. If there is any doubt about it the FBI will say "confidential informant of unknown reliability" or whatever qualifying classification they have of known liability. That is a seal of great authenticity of an agency unimpeachable for accuracy and integrity.

The CHAIRMAN. I may say I can't conceive a loyalty board tying a serious charge against a man, that his wife is a Communist, allegedly an officer in a Communist cell, and then the man comes in and says my wife will come down and testify and the board said, "No, we charged your wife with being a Communist but we are no longer interested. We won't hear her." Can you conceive of the members of that loyalty board being kept on at GPO? Shouldn't they be discharged for gross incompetence?

Mr. COLE. That is a hard question to answer. I don't believe I could answer the question "yes" or "no." It depends on what the rest of the circumstances were in the case. Now, all of the members of the loyalty board certainly are the top flight people in the Government Printing Office. The membership was made up of the director of personnel—

The CHAIRMAN. Let's interrupt you right there. I am not at this point criticizing him. I don't know what you have to do. I have heard that so often in the departments. They catch someone—a Communist in the Commerce Department, etc. I have always gotten difficulty pinning them down. I think it is fantastic—the idea of clearing men like that. When you talk about top personnel to me, I don't know the individuals, but they certainly don't sound very top. They merely call defense witnesses. They spend their time saying who they think is trying to get even with them. "Who is your enemy?" They don't call a woman after the FBI has said she is a member of the Communist party. Would you call that competent work?

Mr. COLE. All right, I will answer your question and say "No." There is one thing which I believe you have to think about; that is, that these teams are not made up of investigators. We do not hire people for that. We have no money for that type of thing. We don't have competent people who have, as Senator Dirksen phrased it, had experience with these people. What we have are people who have been handling personnel cases primarily and other officials of the office designated to look into this material.

Now, I don't expect that you would expect to find Supreme Court decisions coming from a group of people who have not passed the bar examination. By the same token, I don't think you could expect

top flight investigations from people who had not been investigating this type of thing.

The CHAIRMAN. What you have said would appear to me to be a complete indictment of the loyalty system over there. You handle secret, top secret material which affects the very life of this country and the life of America's young men. You say you handled 250 pieces last year of Atomic Energy, CIA, military material. If what you say is true and there is incompetence in the loyalty setup over there, wouldn't you say that indicates very, very gross negligence on the part of whoever is responsible? If you don't have trained investigators, if you don't have qualified people to do a job, is that an excuse to risk the security of this country? Isn't someone over there responsible? If so, I think we should have the people right before us and find out why they have a system you, yourself, say in slipshod. Shouldn't you have qualified people on the loyalty board? Why do you have a loyalty board?

Mr. COLE. That has been changed now. We no longer have a loyalty board since the presidential order.

Senator DIRKSEN. Did you have any loyalty cases in the State plant?

Mr. COLE. I would say not. I know we fired one man from the field plant, the Washington field plant, not the State plant.

Senator DIRKSEN. How were these loyalty cases developed? What was the first step? Is it an original charge? Does somebody in authority make the charges or is it an anonymous letter, or how?

Mr. COLE. It could be any way derogatory information is sent into the office. Generally, it comes into the office by way of field examinations from the FBI or Civil Service—information from the Civil Service Commission. When such a report comes in, authorities at the GPO—

Senator DIRKSEN. What is the first processing step?

Mr. COLE. In these cases now under the new setup, they are referred to the regional office handling that operation. It is not handled in the GPO. It is not handled in GPO until a report comes back from that particular agency. Then there is a determination by the director of personnel as to whether the findings indicate the person should be separated or taken from the rolls, with appeal rights, of course, to the public printer.

Senator DIRKSEN. Of course, that loyalty board does not exist today?

Mr. COLE. That is right, it doesn't.

Under the new system the board will be made up of three members, none of which will be an employee of the Government Printing Office.

Senator DIRKSEN. In how many cases have they overruled the GPO loyalty board?

Mr. COLE. One. Only two cases came to the public printer.

Senator DIRKSEN. Are you speaking of the new setup?

Mr. COLE. The old one. Those two cases were Lomack and McGee. McGee was separated.

Senator DIRKSEN. You have been in the plant thirty years?

Mr. COLE. Yes, sir. I started as an apprentice in 1923.

Senator DIRKSEN. In that time, I assume, you have gotten to know lots of people by their first and last name, particularly people who have been there quite some time?

Mr. COLE. Yes, sir.

Senator DIRKSEN. Would there be any way of detecting whether or not there is Communist activities or crusading activities on the part of any employee who might be a member of the Communist party or have inclinations in that direction?

Mr. COLE. Well, I would believe that any activities carried on in the plants as such would come to the front office in very short order because we have all of the officials down the line. We have all of the trade unions represented, some twenty-three or twenty-four that we deal with specifically, and very little, in my estimation, happens in the plant that the information doesn't come through channels to the front office.

The CHAIRMAN. You are referring to any attempt to recruit members in the Communist party or someone publicly discussing communism?

Mr. COLE. That is right, union politics, union activities.

The CHAIRMAN. If a Communist is smart, he doesn't shout to them. If I were over in your plant and wanted to get access to secret and top secret material, I would naturally not start joining Communist front organizations.

Mr. COLE. That is right. I am trying to answer Senator Dirksen's question.

The CHAIRMAN. If I were a Communist over in your plant working in Rothschild's job, if I just had average intelligence, I would be able to discover what was in some of the secret and top secret documents, wouldn't I?

Mr. COLE. I guess that would be a fair statement.

The CHAIRMAN. So that of all the government agencies which handles the top secret material from a sizeable number, yours is actually one of the most sensitive, isn't it?

Mr. COLE. It could be, but the thing—I won't say you are overlooking—but the thing that is not carrying weight in handling and printing material, you don't read it. You don't get the opportunity to read it as so much brick, so much unit. You don't have time to stop and turn it over and see what is on page three. It is handled on a production basis for speed, basis for quantity production and as such, jobs will go through and the men handling them won't have the slightest idea what is in them.

Senator DIRKSEN. That would mean, Mr. Cole, if a person had designs to get the entire document, the place to get it would be the gathering or bookbinding room?

Mr. COLE. At that point all of the bindery equipment is moving at high speed and the stuff is flowing. It is handed from somebody to somebody else. The stuff is moving.

Senator DIRKSEN. When it gets to the room where it is gathered and stitched and bound and assembled, if a person wanted an entire document, that would be the place to get it.

Mr. COLE. That would be the first place it would all be together.

Senator DIRKSEN. Assume you checked it and the counting machines counted everything and one volume or one document was missing. How would you go about determining what had happened?

Mr. COLE. Well, we would trace back to receipt, back to the last full count. Whoever picked the job up and handled it from there. Everybody who handled the job.

Now, as a matter of fact, the latest addition to our security plant is that the Armed Forces want a register kept of the names of everybody coming in contact with the job. Actually, we are doing that now, making a list of everybody who touches or comes in contact with the job while it is under our roof.

The CHAIRMAN. Have you ever discovered any classified material not where it should be?

Mr. COLE. Not to my knowledge.

The CHAIRMAN. How about the time when Miss Guess said she saw Mr. Rothschild with a confidential document? Did you check the number of documents to tell positively whether he had or not?

Mr. COLE. The problem goes back to a point where at some time in the past she had seen the man take a job. There is no way of checking.

The CHAIRMAN. If you have got an accurate count. He says such and such and such a date. If you keep a positive count you could go back to the books and see if anything was missing.

Mr. COLE. That would probably be so, but that hasn't happened.

The CHAIRMAN. As a matter of fact, see if this isn't correct. I know infinitely less than you do but in talking to your people, I get the strong impression there is no positive check; that there are pieces of stuff run through, material that is half obliterated, some parts spoiled and that there is no complete check of the number of complete documents turned out; that if you had a Communist agent, he would have no difficulty whatsoever in picking up parts of secret documents or the whole document. In other words, from the time it goes into your printing press to the time it leaves the plants there are stages when it is impossible to keep an accurate count. If that is not true, I would like to know it.

Mr. BLATTENBERGER. Might I say a word. Back in the days of Edward Stern and company we had a plant during the war set up for the government. I know it was almost impossible to find a condition like that existing. They were certainly very, very carefully following through the press and everything had been accounted for. They had somebody responsible to take everything bad and—

The CHAIRMAN. We are not interested in what happened during the war.

Mr. BLATTENBERGER. I am saying I don't know this situation.

The CHAIRMAN. Let's get this situation. I would like to get this situation. I have talked to a sizeable number of people working in the plant who have no reason to lie. I asked them what difficulty a Communist agent would have obtaining material, as I asked you the question today; whether there is a positive count all through the procedure. They say absolutely not; that it is impossible to keep an accurate count; that you have got secret and top secret material and you must have security regulation and people handling it that can be trusted. What would you say to that?

Mr. COLE. I would say that in those cases where there is a possibility that an accurate count is not kept that a security representative is standing with the job and any spoilage is under his direct

supervision to be taken care of and returned to the production manager for destruction.

The CHAIRMAN. Now, we have 250 different secret and top secret jobs, how many documents, booklets would that be?

Mr. COLE. You can't tell. That depends. It could be 150 copies of a top secret document to 20,000 copies of a secret document. Secret because of a phase of it rather than the whole job. That could be a construction job or late aircraft.

The CHAIRMAN. While the number is not terribly important, for 250 jobs, would you say you average one thousand copies per document? Would that be reasonable?

Mr. COLE. I don't think that would be unreasonable. In the course of the last year we have had 250 thousand secret and top secret documents. I assume that would be a fair figure.

The CHAIRMAN. That means that any time of the day or night that I walked in the plant and walked through it I would find secret, and top secret material some place.

Mr. COLE. There would be secret or top secret somewhere but you wouldn't walk into the plant to find it unless somebody was with you.

The CHAIRMAN. We had evidence here yesterday that Rothschild, a man accused of being a Communist, at one time, was ordered to work on either secret or top secret material and he told the security man in charge that he was not supposed to do that. I believe the testimony beyond that was that he was ordered to do that. That would indicate that your security men in charge, at least on one occasion, ordered a man, allegedly barred from top secret work, to do it.

Mr. COLE. It could happen that he was the only man available to work on that machine with a security man standing at his elbow; and he was trimming three sides of the book with the book closed. That would be possible.

The CHAIRMAN. Mr. Rothschild was asked some questions. See if you agree with him on this.

The CHAIRMAN. . . . Do you have access to classified material?

Mr. ROTHSCHILD. Frankly, I have access. I have to qualify that statement. I don't want to draw this out any. After that hearing a list came down and the foreman told the people listed on there not to handle confidential or secret work. Since that, it has not been the practice to give Rothschild secret confidential work, which I like.

The CHAIRMAN. You say it hasn't been a practice, but is it a fact you have access to confidential material?

Mr. ROTHSCHILD. Yes.

The CHAIRMAN. Up until today?

Mr. ROTHSCHILD. Up until this moment.

The CHAIRMAN. In other words, while your name was on that list as a practical matter, you have had access to any secret or confidential matter that you care to see?

Mr. ROTHSCHILD. If the man working next to as had the jobs you might say I had access to it as a matter of reaching across and taking it. Strangely enough in handling any of this work, if you handle one copy—someone tells you they are on secret work and you have natural curiosity, but when you handle thousands, one looks like another and you are not interested.

The CHAIRMAN. Would you agree that is the situation? Rothschild is technically barred from access but the people next to him are working on top secret and secret work—

Mr. COLE. It would be a possibility.

Mr. COHN. On this Miss Guess situation. That seems like a rather serious thing. As I recall, her testimony was to the effect that Rothschild's taking secret documents occurred more than once. Wasn't that right?

Mr. COLE. I believe that the indication was that.

Mr. COHN. I am just wondering what motivated them to cast aside her testimony so quickly. Would you know that?

Mr. COLE. No, sir.

Mr. COHN. You wouldn't have any knowledge on that?

Mr. COLE. No.

Mr. COHN. When was this Lomack case?

Mr. COLE. We started it 9/22/49 when the charges occurred.

The CHAIRMAN. Do you have any objection to the committee seeing the Rothschild and Sillers file?

Mr. COLE. We have no file on Sillers. Sillers was at the GPO and left the GPO in 1942 to go to the Bureau of Standards.

The CHAIRMAN. Do you have any objection to the committee seeing the Rothschild file?

Mr. COLE. I have no objection to them seeing the Rothschild file with the exception of the FBI reports, which I am certain you will already have. That material is supplied with the understanding it will not leave our hands. The rest of the file, as far as the Government Printing Office is concerned, is certainly available.

The CHAIRMAN. We would like very much to examine that. I am curious to know what prompted the thinking and actions of the loyalty board. I inclined to think we might have to call the members of the loyalty board, even though they are no longer acting on the loyalty board. I am curious to know what type of appearance they would make. I think, Roy, we will ask that the members of the loyalty board be called in executive session.

Senator DIRKSEN. Mr. Cole, does the CIA clear the people at the State office?

Mr. COLE. It is a CIA clearance—what is required for their clearance and the Atomic Energy. There is an agreement with the State Department that all employees of the State Department plant will be cleared by the highest clearance necessary to handle any one of the agency's work.

The CHAIRMAN. Do you review those clearances?

If there is a loyalty case of someone over in the State building, would you have the function of reviewing the loyalty decision?

Mr. COLE. Not unless the loyalty decision was unfavorable. The review comes to the public printer's office only when the board was unfavorable.

The CHAIRMAN. How about a case like Rothschild. Was there no further review?

Mr. COLE. It would stop at the board with the exception of possible audit by the then loyalty review board.

The CHAIRMAN. That would be Seth Richardson.

Senator DIRKSEN. Is the volume of secret and top secret—it couldn't all be concentrated in one plant like the State plant?

Mr. COLE. No, you see the printing business is a complicated thing. It requires a mass of machinery for small individual parts. There is no concentration of all of that machinery except the main

plant. Practically all of Atomic Energy's jobs go through the State Department plants.

The CHAIRMAN. Do you know why the other 250 secret and top secret jobs did not go through the State Department plant?

Mr. COLE. I can't say for sure. It depends largely on the type of job, the speed required and equipment necessary to do it.

The CHAIRMAN. It does not depend upon classifications?

Mr. COLE. No, it depends on whether it comes to us. In some cases the department goes directly to the State Department plant. The type of work that has been set up to go in there, we don't see it. Otherwise, it comes directly to our production manager's office and at that point a decision is made as to whether it will go to the State Department plant or put down there in the plant.

The CHAIRMAN. Let's say five jobs come from your various customers, military, Atomic Energy, CIA, State. Let's assume that all five are classified top secret. You or no one else examines the material to determine which is more secret and the more secret goes to the State plant. It would be solely a question of the type of job, speed required, type of equipment used?

Mr. COLE. Yes, sir.

Senator DIRKSEN. Is it customary for an agency to indicate whether it wants a job to go to the State plant or the general plant?

Mr. COLE. It is customary for the department to come over and talk to us about the type of thing they have. Repetitively we have a job where we need fifty multilith copies of Atomic Energy material. It has to be handled top secret and they want to know if we can handle it in the State Department plant. Permission is given to go directly to the State Department plant for that type of operation.

The CHAIRMAN. The thing I can't understand, why did you clear people for top secret work in one building and then have the same type of material printed in another building where no such clearance is given and where their loyalty is questionable?

Mr. COLE. The State, War and Navy coordinator of the Security Advisory Board examined the setup in 1947 thoroughly, went through the whole plant, examined the whole setup and cleared the organization for secret operation at that time. Since then many additional security connections have been added, but the organization that was charged with security at that time did go through the plant and made periodic checks and the agencies themselves have made periodic checks as to the manner in which material was being handled.

[Off-the-record discussion.]

Senator DIRKSEN. Mr. Blattenberger and Mr. Cole, I will address this to both of you. I think you will agree with the general committee viewpoint that if a document is printed that is top secret and that could be a value to those whom we refer to as our enemies, that might have conceivably jeopardized some elements of our national security; that it is a question which ought to be probed against possible leaks and the personnel weaknesses that can creep into a large organization.

[Off-the-record discussion.]

The CHAIRMAN. One other thing, just a suggestion. If you could move all that work to one building where you have got a higher degree of security—I don't know how difficult that would be from the standpoint of moving machinery—but it seems rather ludicrous to go to all the trouble to get clearance for one building and the other building not have that degree of security when they are handling the same type of work.

Mr. COLE. If that would be possible it would probably be the finest way to handle it. The difference in the number of employees required to handle big jobs and the small ones—For instance, in our place we have 7,300 employees and 160 at the State Department. It is obviously impossible to security check 7,300 people, not only from the cost standpoint, but we could never keep on top. We could never keep ahead of that many.

[Off-the-record discussion.]

The CHAIRMAN. This is executive session. Normally we don't hand out executive sessions to anyone. However, I think your department will be vitally concerned and I see no objection to making the testimony available with the understanding that there is no leak to the press.

Mr. COLE. I think that is a good idea. We can read it and get the main points ourselves and get it back to you.

Mr. COHN. If you could communicate with Mr. Carr, give him the Rothschild file—We don't want the FBI reports—and the breakdown of all the agencies for which you do secret or top secret work. I would say classified—

Mr. COLE. I can't do that. It would take me six months. There are thousands of confidential and restricted jobs.

Mr. COHN. We don't want a list of every job. We want to know, "Did you do any classified jobs at all for CIA at the main plant," etc.

Mr. COLE. That we can give you.

[Off-the-record discussion.]

[Whereupon the hearing adjourned at 4:45 p.m.]



## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—Ernest C. Mellor (1902–1972), chief of the Employment Relations Section, and S. Preston Hipsley (1895–1993), director of personnel at the Government Printing Office, served on the loyalty board that reviewed charges against Edward Rothschild. Both Mellor and Hipsley testified in public on August 18, 1953.]

WEDNESDAY, AUGUST 12, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:00 a.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Everett M. Dirksen, Republican, Illinois.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Karl Barsalag, research director; Richard O'Melia, general counsel, Committee on Government Operations; Ruth Young Watt, chief clerk.

### TESTIMONY OF ERNEST C. MELLOR

The CHAIRMAN. Will you rise and be sworn, please? Raise your right hand.

Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth and nothing but the truth, so help you God?

Mr. MELLOR. I do.

The CHAIRMAN. Mr. Mellor, you are a member of the loyalty board that passed on the case of Edward Rothschild?

Mr. MELLOR. Yes, that is correct.

The CHAIRMAN. You recall the case?

Mr. MELLOR. I recall the case clearly, yes sir.

The CHAIRMAN. Did you vote to clear Mr. Rothschild?

Mr. MELLOR. No. I was secretary of the board, and as such did not vote, but attended all the meetings.

The CHAIRMAN. What were your functions as secretary of the board?

Mr. MELLOR. It was the function of the secretary to handle all details in connection with these cases; these reports came in and we presented the matters to the board at regular meetings, and conducted any recommended correspondence with employees.

The CHAIRMAN. Does the secretary largely make decisions whether or not formal charges will be made against employees for action by the board itself, or does the secretary make recommendations? In other words, I assume that the secretary is the man who brings

detailed information to the attention of the board, and makes recommendations to the board?

Mr. MELLOR. No, we have not operated in that fashion. The secretary has not been requested to make recommendations.

The CHAIRMAN. So that in this instance you had nothing to do with the witness to be called?

Mr. MELLOR. No. Witnesses to be called were brought by their lawyers whenever directed to do so by the board.

The CHAIRMAN. Did the board direct you to bring in this case any witnesses?

Mr. MELLOR. Not that I recall, but witnesses were present.

The CHAIRMAN. Is it correct that only witnesses were present whom Rothschild had asked you to call?

Mr. MELLOR. That is true, but there were a number of employees of GPO present.

The CHAIRMAN. People whom Mr. Rothschild had asked to testify?

Mr. MELLOR. That is right.

The CHAIRMAN. If you were using legal parlance would you say that only defense witnesses were called?

Mr. MELLOR. That is true in this particular case.

The CHAIRMAN. Was that the usual practice, or an unusual exception in this case?

Mr. MELLOR. That was the usual practice.

The CHAIRMAN. Do you personally feel that you can arrive at the facts by calling only witnesses for the accused?

Mr. MELLOR. Well, actually, we had the benefit of an investigation made earlier in the case, and that included both friendly and unfriendly witnesses.

The CHAIRMAN. Do you think you can arrive at a correct verdict when the only witnesses you call to testify before you are one-sided in their views—when the only ones called are friendly witnesses for the defense? Such as in this case?

Mr. MELLOR. Well—

The CHAIRMAN. Can you tell me why witnesses were not called by the board—witnesses other than those requested by Rothschild?

Mr. MELLOR. Well, there were quite a number who indicated they would not be available for hearings.

The CHAIRMAN. Did you or anyone else ever serve any proposed witnesses with subpoenas?

Mr. MELLOR. No.

The CHAIRMAN. The file does not indicate that you requested any witnesses to appear or to furnish information except those who were called at Rothschild's request. Could you give us further information?

Mr. MELLOR. As mentioned before, the report we had of the inquiry listed quite a number of witnesses, the majority of whom indicated they would not be willing or would not be available for hearings.

The CHAIRMAN. Can you tell as whether or not you were ever directed by the security board to get any of those witnesses who had given information to the effect that Rothschild or his wife were Communists?

Mr. MELLOR. No, sir. However, I recall that one witness reported that she would be willing to appear and the board considered calling her, but discovered the witness was located in New Orleans, a great distance away, and decided against it.

The CHAIRMAN. Is that the reason Miss—What is it?—Miss Guess—What is her first name?

Mr. MELLOR. Cleta Guess was her name. She had given testimony—or a statement—to the effect that she had seen Rothschild steal confidential papers from the files; also that she knew that Rothschild was a member of the Communist party. This I recall from her statements given at the time.

The CHAIRMAN. And the board decided that because she was in New Orleans she would not be called, even though she could and would be ready to testify under oath that Rothschild had stolen security material and was a member of the Communist party. That was the decision of the board. Would you rate that as an extremely unusual decision?

Mr. MELLOR. No, I believe not. There were several factors entering into it.

The CHAIRMAN. You think that was in accordance with the way the board usually operated?

Mr. MELLOR. Yes, sir.

The CHAIRMAN. And was in accordance with your own personal opinions?

Mr. MELLOR. Yes, although I had no vote at meetings.

The CHAIRMAN. There was information that you also had available another witness who had been working for the FBI, and who had made the statement that she had attended Communist meetings with Mrs. Rothschild. Can you tell us why this FBI agent, who had attended Communist party meetings, was not called—meetings in the Rothschild home?

Mr. MELLOR. Possibly the reason being that we had statements from this agent already in the files.

The CHAIRMAN. Mr. Mellor, did the board consider the question of whether or not Mrs. Rothschild was an active member of the Communist party, an officer of a Communist Club of any importance in passing upon Mr. Rothschild's case?

Mr. MELLOR. Yes, the board did and Mr. Rothschild was questioned at length concerning the activities of his wife.

The CHAIRMAN. And you were satisfied, the board was satisfied, that Mrs. Rothschild was not a Communist?

#### **TESTIMONY OF S. PRESTON HIPSLEY**

Mr. HIPSLEY. The board satisfied itself as well as you can that she was not a Communist.

The CHAIRMAN. And can you tell us why you didn't call her?

Mr. HIPSLEY. Well, there were a number of reasons why the board did not call Mrs. Rothschild. In the first place, the officials who had come at the invitation of Rothschild were also our officials. They were his witnesses and our officials whom we had great confidence in, one being the superintendent of the division where he worked and others being immediate supervisors.

The testimony we took was not only for him but for the office because they were all security people. We believe that there was

some basis for their reliance on the man; their belief in him; what the man said; the way he conducted himself. The board in its best judgment felt we had sufficient information from the individual himself and the witness who had appeared. There is one other point, if I talk too long, cut me off. There is one other point. The board was specifically interested in Mr. Rothschild.

The CHAIRMAN. If you knew she was a Communist, would you still have given his clearance?

Mr. HIPSLEY. That is pretty hard to answer. We didn't have the case. I don't know what our reaction would have been. I would say as a rule of thumb, we would not say—no, I couldn't answer that way.

The CHAIRMAN. The question is: If you knew she had been an active member of the Communist party at the time, would you still have given him clearance?

Mr. HIPSLEY. If we knew she had been an active member, we certainly would not have.

The CHAIRMAN. And you satisfied yourself she was not?

Mr. HIPSLEY. On the basis of his testimony and the FBI reports, we felt we had come to the best conclusion we could.

The CHAIRMAN. In any event you had satisfied yourselves she was not a Communist?

Mr. HIPSLEY. No. I can't answer that, sir, I cannot say.

The CHAIRMAN. You said if you found she had been a Communist—

Mr. HIPSLEY. Sir, if we were convinced his wife was a member of the Communist party, we certainly would have handled the man differently. We were not convinced. We didn't have specific information to that effect.

The CHAIRMAN. You had the report of the FBI agent to the effect she had attended Communist meetings with Mrs. Rothschild.

Mr. HIPSLEY. May I comment on that without answering first.

The CHAIRMAN. You certainly may. It is important.

Mr. HIPSLEY. This committee had been working on these cases since the old Un-American Activities and we had worked with the FBI reports for a number of years. In the majority of cases where we had FBI information, it was always true that the majority of witnesses were not available. In this particular instance I think there were some forty informants and I think there were less than five who were willing to testify. That was generally the picture.

The CHAIRMAN. In other words, you have five informants who would testify to her Communist activities?

Mr. HIPSLEY. I am not sure there was five, but not more than five.

The CHAIRMAN. There were four or five witnesses who testified under oath as to the Communist activities of Mr. and Mrs. Rothschild?

Is that correct?

Mr. HIPSLEY. That is true, sir.

The CHAIRMAN. Can you tell us why you didn't call them?

Mr. HIPSLEY. Yes, the board had read carefully the information furnished by the bureau. In a number of instances it was very general. It was pointed to the effect that the person was a Communist. It was surrounding circumstances and that sort of thing.

The CHAIRMAN. Well, you had this report the FBI agent gave Mrs. Markward, that she attended Communist party meetings at the Rothschild home? There is nothing indefinite about that.

Mr. HIPSLEY. We have a denial of the man under oath that he didn't know her. We gave a lot of weight to what the man said.

The CHAIRMAN. If you believed Mrs. Markward, you believed there were Communist meetings held at the Rothschild home. My question is: Did you decide that wasn't true?

Mr. HIPSLEY. I certainly wouldn't dispute the word of an FBI agent.

The CHAIRMAN. If you had believed that, would you have given his clearance?

Mr. HIPSLEY. If we had believed that one of our employees was married and living with and protecting a woman who was a Communist, we certainly would not have cleared him.

The CHAIRMAN. I am not talking about protecting.

Mr. HIPSLEY. If we believed his wife were a Communist, we would not have cleared him?

The CHAIRMAN. I am asking you if you believed the FBI, if you were convinced that report were true, would you have given him clearance?

Mr. HIPSLEY. If we had satisfied ourself as a board—I am only one member, but as far as one member is concerned, if I was satisfied she was a Communist of the type who would advocate the overthrow of our government by force, I certainly would not have kept that employee.

The CHAIRMAN. Can you distinguish between types of Communists?

Mr. HIPSLEY. We operated under that philosophy, under the procedure that said mere membership in a Communist organization was not the complete deciding factor.

The CHAIRMAN. So that if a man were merely a member, he still might be qualified to work?

Mr. HIPSLEY. I am quoting you the words of Mr. Seth Richardson. That is what we followed. He gave the example at the Federal Personnel Counsel when he cited a number of personnel directives in operation. He gave an example and it was very interesting. He said it depended not on membership but purpose and intent. He said, "One time I was interested in belonging to the Odd Fellows, not because I wanted to be a fraternal man but because I wanted to use their library, but the charter I had nothing to do with and knew nothing about it." I think I am quoting him literally and accurately, so that in all our activities as a board, we kept in mind when a person was supposed to be a member of a Communist list or one of the groups on the list, that alone was not sufficient. It was the acts of the person.

The CHAIRMAN. Let me ask this then. If you were convinced that one of your employees was a member of the Communist party, but you were convinced he did not believe in the overthrow of this government by force and violence, you say you would not bar him from employment?

Mr. HIPSLEY. No, I would not say that. My own feeling is that if I were sure that any employee was a member of the Communist party irregardless, I wouldn't want him around.

The CHAIRMAN. You would say mere membership would bar him?

Mr. HIPSLEY. We couldn't get away from the other philosophy in general board discussion. It was not a one-man board.

The CHAIRMAN. Tell us how and why the board acted—was it the philosophy of the board following the reasoning of Seth Richardson that it took more than mere membership?

Mr. HIPSLEY. That was our general promise but we didn't arrive at any case where the individual was definitely proved to be a member of a Communist group.

The CHAIRMAN. You said previously you had confidence the people whom Rothschild asked you to call, that they were people who worked in GPO and because of your confidence in them, you decided it was unnecessary to call Mrs. Rothschild.

If that isn't correct, I would like to have that cleared up. There is nothing mysterious about this. It seemed ridiculous to the point of being ludicrous and rather tragic too, to think that you had positive evidence that a man's wife was a member of the Communist party and an official of the Communist party, which made her more than a mere member, using your words, that you had forty informants, furnished by the FBI, who had given information about the Communist activities of Mr. and Mrs. Rothschild, but five were available to you; that there was available to you a witness who was willing to testify under oath that she saw Rothschild steal secret material and that you didn't call the witness who was willing to testify about the stealing of the secret documents; didn't call any of the five informants available; didn't call the wife who was allegedly an officer of the Communist party, that you spent your time—and I have the record here of your calling all of the witnesses whom Rothschild said would clear him. To me that seems worse than incompetence; that seems almost criminal incompetence; handling top secret material; handling Atomic Energy material; handling State Department secrets; CIA secrets; and defense secrets. For that reason I am curious to know from the members of the board why she was not called and put under oath.

Mr. HIPSLEY. It would take me almost as long to answer you as it did you to pose the question. I understand why, looking at this thing outside and from an investigator's point of view, where it would look almost like incompetence, using your minor term. I don't think our board was incompetent. I think the government had on that board a group of loyal employees who were not originally employed as investigators, but who assumed a responsibility as board members as one of their responsibility and who have done everything they could to carry out that job in an honest, decent fashion. On the board, as to honesty, competence, we have the chairman who is a member of the bar.

The CHAIRMAN. Who is the chairman?

Mr. HIPSLEY. Mr. Cristofanes, Felix.

The CHAIRMAN. Did he act in this case?

Mr. HIPSLEY. For a while, and I finished up.

As far as I am concerned, I have legal training, although I am not a member of the bar. This is the background of the members of the board. The other two members, one is assistant production manager, who had, I think, good judgment and a level head. The final member of the board is the chief clerk, an old federal em-

ployee of many years standing who has had lots of experience with members. That is the board membership. As to why they did these things which seem to you—and I can see your point of view as to why it seemed not competent—they did not do what they were supposed to do, you are not there. You were not affected as a judge as the board would be. All things go into making a decision. We had to study the FBI reports. We spent much time on them. We tried to determine in this information you, yourself must know all the information is not on the point. Lots of it is on other facts that go to make up the whole picture. In any event we picked out the facts which were sufficient to make charges against the man. We made the charges. We charged him with being a member of the Washington Bookshop, association with Communists, he and his wife, and the third charge was having made derogatory statements concerning the United States and favoring the Communist party.

The CHAIRMAN. Why did you omit the charge of stealing secret documents?

Mr. HIPSLEY. That charge we didn't think possible.

The CHAIRMAN. Can you tell us why?

Mr. HIPSLEY. I would like to finish the other. When this man was called in for his first hearing, he brought with him his attorney, and his attorney named a number of people whom we would have called. It was not our fault he called the superintendent; not our fault that he called the foreman; not our fault that he called three or four others. We anticipated calling witnesses and letting them give testimony.

In the meantime, prior to the hearing, the assistant production manager, with all the facilities at his command, made many inquiries, where the man worked, what opportunities he had for removing classified work and satisfied himself under our security program the matter wasn't possible.

The CHAIRMAN. As well as removing secret material, reading and carrying away the information?

Mr. HIPSLEY. We were satisfied by the officials close to it that was not the fact.

The CHAIRMAN. He could look at it and not read it?

Mr. HIPSLEY. The top flight staff was guarded at all times.

The CHAIRMAN. Did you have other cases which would compare roughly with Rothschild or was this one of the worst cases you have had?

Mr. HIPSLEY. I wouldn't like to answer that off-hand.

Off-hand, I would say this was one case where the matter of handling confidential material was featured.

The CHAIRMAN. Now, as far as Communist activities—as far as anyone brought before your board was concerned—would you say this was a rather normal case?

Mr. HIPSLEY. Are you asking me if we have a number of people charged with being Communists?

The CHAIRMAN. You have had some thirty-five people come before the board. I am wondering if this is a typical case as far as Communist activities are concerned, or was this one more aggravated?

Mr. HIPSLEY. We had many cases where people were charged with being members of the Washington Book Club. I don't think we

had any other cases where anyone was charged with taking or reading classified material.

The CHAIRMAN. Did you have any other cases of individuals accused of Communist activities?

Mr. HIPSLEY. Oh, yes. That is why they came under the loyalty board.

The CHAIRMAN. You have some proofreaders who read secret and top secret material. Is that correct?

Mr. HIPSLEY. Proofreaders, in itself, is entirely impossible.

The CHAIRMAN. Would they have entire pages?

Mr. HIPSLEY. No, sir, to my knowledge. I am not speaking as an official on security. What happens, as nearly as I know—I am not a security man—but all of the material—

The CHAIRMAN. If you are passing upon the loyalty of proofreaders, then you must know how proofreaders read material.

Mr. HIPSLEY. I was about to tell you. When confidential material comes in, it is put on a tape and a small segment is given to one person and some to another. No one person has the whole story except if you have top flight people who get the finished work or some segment of it.

The CHAIRMAN. Let's say you had a top secret document of fifty pages. The time comes when your galley proof is run?

Mr. HIPSLEY. Right, yes.

The CHAIRMAN. That is run in pages?

Mr. HIPSLEY. Right.

The CHAIRMAN. That must be proofread?

Mr. HIPSLEY. That is right.

The CHAIRMAN. And you don't mean you cut the pages up and let one man have half of the page and another man the other half?

Mr. HIPSLEY. Believe me, I am not too sure.

The CHAIRMAN. Don't you think when passing upon the loyalty of a proofreader accused of Communist activities that you would have known that?

Mr. HIPSLEY. No, sir. I do not. I think I have every right to rely on the security program.

The CHAIRMAN. You were chairman of the loyalty board.

Mr. HIPSLEY. That is not so.

The CHAIRMAN. You acted as chairman. All right. Is not the chairman of the loyalty board a very, very important cog to the security program?

Mr. HIPSLEY. I am not he.

The CHAIRMAN. You rely on the security program, meaning yourself as chairman of the board. My question is this: Do you mean to tell us you would pass upon proofreaders accused of Communist activities and you would not know how many entire pages of the top secret documents he would read—how it was handled?

Mr. HIPSLEY. This I do know, sir. I think I am answering your question. I know we have scattered all through the plant a number of cleared people, cleared under our plan, who keep under surveillance all other people, employees, when secret work is being done.

The CHAIRMAN. Now, when you clear those people, you follow roughly the same procedure followed in clearing Rothschild?

Mr. HIPSLEY. We have not had a full-field investigation on our security people up until this new program of security.

The CHAIRMAN. So that when you say cleared, you don't mean that there was a full-field investigation?

Mr. HIPSLEY. There was a Civil Service check made on the employees, and their personnel records and their habits in the office.

The CHAIRMAN. So that the clearance you gave those people was the same type of clearance you gave Rothschild, except Rothschild's may have been a higher type clearance because you held a hearing and he was officially cleared.

These other security people you talk about merely had a Civil Service check. Is that correct?

Mr. HIPSLEY. I see what you mean, but I find it very hard to answer. I am trying to get the information. I will certainly try to help you. I don't like to answer when I do not believe there is any laxity in clearing the security people.

The CHAIRMAN. I am just asking how they were cleared. You said it was not a full-field investigation. What type of clearance did they have?

Mr. HIPSLEY. They had clearance given by the investigative group of Civil Service Commission, plus the check of the officials of personnel records, conduct in the offices, etc.

The CHAIRMAN. In other words, their clearance was no different than the clearance Rothschild had? Is that correct?

Mr. HIPSLEY. I wouldn't say that is correct. Rothschild was not cleared for confidential work.

The CHAIRMAN. He told us that he was. He said he had been cleared and was handling top secret until that hearing.

Mr. HIPSLEY. I can't answer you officially. I don't think he was.

The CHAIRMAN. Well, do you question his statement that he had been cleared? Do you think he was lying?

Mr. HIPSLEY. Yes, I do.

The CHAIRMAN. Then he has perjured himself on another count.

Mr. HIPSLEY. That would be easy to determine, Senator, because the people who were cleared are listed, and have been listed, and we can determine whether he is on the list or not.

The CHAIRMAN. His testimony was that he was handling classified material until after his loyalty hearing; then there came down a list that he was not supposed to have access to top secret material, but he still had access to it.

Mr. HIPSLEY. That can be determined factually.

The CHAIRMAN. Do you know whether your board recommended that Rothschild not have access to top secret material?

Mr. HIPSLEY. Yes, sir, definitely. Not only that man, but all of our thirty-five cases. There are some twenty left. The rest resigned or they were separated. At any rate, twenty are left. The twenty do not have access to top secret, classified work.

The CHAIRMAN. Then when you denied Rothschild access to top secret work, there must have been some doubt in your mind about his loyalty or security?

Mr. HIPSLEY. It has been the action of the board in this case, where there have been charges made that we have done the best we could to determine whether or not they should be separated, but we take no chance.

The CHAIRMAN. The question is: Did the board ever doubt his loyalty?

Mr. HIPSLEY. I can't speak for the board, but as far as I am concerned, I thought he was a safe employee.

The CHAIRMAN. To handle top secret work?

Mr. HIPSLEY. No, sir.

The CHAIRMAN. Why not?

Mr. HIPSLEY. Because the charges, we had not the effort, time or ability to run down.

The CHAIRMAN. You said you had examined the FBI files and from the examination of the files and the witnesses who were called, you were satisfied that Rothschild's wife was not a Communist. Is that right? Without calling her?

Mr. HIPSLEY. We were reasonably sure she was not. I will give you a few details if you have the time.

The CHAIRMAN. I would like to stick to this question. Was there anything in the FBI file to the effect that she was not a Communist?

Mr. HIPSLEY. Not that I recall, sir.

The CHAIRMAN. Were any of the witnesses other than the Rothschilds in a position to tell you whether or not they were Communists?

Mr. HIPSLEY. There were neighbors who said they did not believe she was, who lived in her vicinity for six or seven years. That brings me—bear with me a second. The one thing that seemed to us to make it impossible to us to be certain a person engaged in activities similar to Communist activities, she was married to this man around the time the charges were set out. She was bearing a child. There was a longer period when she was ill. She was bearing a child and she was ill. That, along with the other statements made by the man and the witnesses, indicated to us, at least, that there was not sufficient evidence; that was a basis for our decision. That was not sufficient evidence on Communist activities and to go further—

The CHAIRMAN. The fact that she got pregnant convinced you she could not be a Communist?

Mr. HIPSLEY. I certainly would not—

Mr. COHN. Judy Coplon got pregnant after she was convicted.

Mr. HIPSLEY. I can see the humor of your question. The time element accounted for the time which was the time she was supposed to be flying around doing this and that and the other. That is the thing I am trying to make.

The CHAIRMAN. I think there is nothing further. I may say if you were ordered by Seth Richardson not to consider mere membership in the party as a bar—I can't understand how you work on the general premise that mere membership would not bar a man.

Mr. HIPSLEY. Those were the orders.

The CHAIRMAN. To me that is an inconceivable position. I can understand if that was the general premise you were working under why we have still over in the GPO individuals, including proof-readers, against whom there is very substantial testimony of Communist activities, and I would like to ask you one question.

You said one of the reasons why you did not call the witness who testified that he had stolen secret material was because you felt no secret material could be stolen.

In that connection, I ask you if you are familiar with the Lomack case?

Mr. HIPSLEY. Yes, I am.

The CHAIRMAN. In which a woman did steal either secret or confidential material, had it in her purse and was leaving the building, and the only reason she was caught was because an alert fellow worker saw her take it. A fellow worker who incidentally identifies Rothschild as a Communist. In view of the fact here is a woman who could steal secret material, a woman much less important than some others in your plant. You say Rothschild could not have stolen it. Therefore, you did not call the witness who said she saw him steal it.

Mr. HIPSLEY. Senator, I think you make a point in favor of what I just said if you will allow me to comment. The fact is, Lomack did not get away with her attempt. She was caught.

Mr. CHAIRMAN. It was no security officer who saw her.

Mr. HIPSLEY. More than one person saw her, I think it can be determined. I think you will find there was more than one person involved in the catching of Mrs. Lomack.

The CHAIRMAN. Will you check that and notify us if that is true or not?

Mr. HIPSLEY. You were referring to Seth Richardson and our guidance on his leadership, which I think is a safe statement. In Memo No. 1, under date of March 9, 1946, Subject: "Effect of Proof of Membership or the Equivalent Thereof in Any Organization on So-Called Attorney General's list." I won't read it all. I will just read a paragraph.

It must be clearly understood that such membership in any particular organization is not, and must not be considered, as per se establishing disloyalty under the required test. Despite such membership, a Board might properly, upon a consideration of the entire record, find that the employee in question was not disloyal. As the President has stated, "Membership in an organization is simply one piece of evidence which may or may not be helpful in arriving at a conclusion as to the action which is to be taken in a particular case." Membership alone, therefore, is not of itself to be considered as conclusive, and Boards should clearly understand that their determinations, while taking the fact of membership into consideration, must still be made upon the entire record in the case.

The CHAIRMAN. While I have no admiration at all for Seth Richardson, I thought under him the Loyalty Program was misnamed, I do think you have misconstrued that order.

I do think what Seth Richardson is referring to is membership in so-called Communist fronts. I think you misunderstood that to mean membership in the Communist party. That is a gross misconstruction.

Mr. HIPSLEY. I am sorry, sir. I didn't misunderstand. From other orders, membership in the Communist party was included in this.

The CHAIRMAN. Could we see this?

Mr. COHN. Could you get the whole file? I would be shocked to see it.

The CHAIRMAN. In any event, you and the board felt mere membership in the Communist party was not a bar? That it took more than that?

Mr. HIPSLEY. Other facts and circumstances? That is correct, sir.

The CHAIRMAN. I think that is all.

[Whereupon, the hearing adjourned at 11:45 a.m.]



## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—Irving Studenberg did not testify in public. During the public hearing on August 19, Esther Rothschild declined to answer questions about whether she knew Studenberg or had attended Communist study groups with him. Responding to similar questions on August 20, Charles Gift said that he could not recall having met Studenberg.]

THURSDAY, AUGUST 13, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:00 a.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Karl Barsalag, research director; Richard O'Melia, general counsel, Committee on Government Operations; Herbert S. Hawkins, investigator; Ruth Young Watt, chief clerk.

### TESTIMONY OF IRVING STUDENBERG

The CHAIRMAN. Mr. Studenberg, will you stand and raise your right hand?

In the matter now in hearing, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STUDENBERG. Yes, sir.

Mr. COHN. Mr. Studenberg, I will just ask you this one question at present.

You are not a member of the Communist party today?

Mr. STUDENBERG. No.

Mr. COHN. Were you employed at the Government Printing Office?

Mr. STUDENBERG. Yes, sir.

Mr. COHN. About when was that?

Mr. STUDENBERG. 1935 to 1943.

Mr. COHN. You were not an open member of the party at any time during your employment at GPO?

Mr. STUDENBERG. No, sir. I became a member after leaving GPO. I had no contact during that period of time. Then I went back and inquired and made application—I was told to make application—for a membership as a new member.

Mr. COHN. Now, during the period of time you were with the GPO, the 1940s, did you ever attend any Communist meetings anywhere?

Mr. STUDENBERG. I never attended any open Communist party meetings.

Mr. COHN. You attended no open meetings?

Mr. STUDENBERG. That is right.

May I amend that statement? Which to my knowledge were Communist party meetings.

Mr. COHN. Did you attend what we might call Communist discussion meetings?

Mr. STUDENBERG. Yes, sir.

Mr. COHN. And how would you describe those meetings?

Mr. STUDENBERG. Well, they seemed to be made up of a group of people who at the time were interested in discussing some of the very hot phases of the day. Naturally, in the period of the emergency before we entered World War II, the discussion of other people who were involved with the entrance into the war. They discussed the role this country would take, economic and political and what we, as people working for the government, what we should do, etc.

Mr. COHN. Were those who participated Communist sympathizers?

Mr. STUDENBERG. I would say they could be classified as people who were interested enough to be anxious to find out information, that is party information and to discuss that information.

Mr. COHN. That is Communist party information?

Mr. STUDENBERG. I will not say group as such. Individuals as such always agreed with the Communist party line. Because in many instances which come to mind, they didn't agree but we discussed it and read the literature.

The CHAIRMAN. In other words, you wouldn't be in a position to say everyone there was a member of the Communist party?

Mr. STUDENBERG. No, sir. Definitely not.

The CHAIRMAN. But it was recognized that this was the Communist line that was being discussed at these meetings?

Mr. STUDENBERG. That is right. That was the basis of our discussion. As I explained before, we were free to discuss anything we cared to discuss. In other words, we would take the Communist party pamphlet, sheet, article, whatever fitted our need and discussed it. We not only used Communist party source material as the basis of our discussions, we used newspapers and the magazines of the day and other things so that our discussion was in the nature of a debate usually with two sides.

The CHAIRMAN. At that time were you a member yourself?

Mr. STUDENBERG. I was a member of this discussion group.

Mr. COHN. It was definitely along the Communist party line?

Mr. STUDENBERG. No, we didn't talk about anything except as we felt it pertained to educating or acquainting of ourselves with what was the Communist party—

Mr. COHN. In other words, it all related around Communist party theories?

Mr. STUDENBERG. Yes.

Mr. COHN. Now, did you know a man by the name of Edward Rothschild?

Mr. STUDENBERG. Yes, sir.

Mr. COHN. Did you know him in the Government Printing Office?

Mr. STUDENBERG. Yes.

Mr. COHN. Did he ever attend these Communist discussion groups?

Mr. STUDENBERG. Yes.

Mr. COHN. Were any ever held in his home?

Mr. STUDENBERG. Yes.

Mr. COHN. Where was his home located?

Mr. STUDENBERG. River Terrace on Dix Street.

Mr. COHN. Was he ever present at any of these meetings at his home?

Mr. STUDENBERG. Yes, he was present. Not all the time. Sometimes he worked nights and wasn't present.

Mr. COHN. Could you name some of the persons present?

Mr. STUDENBERG. His wife.

Mr. COHN. Esther?

Mr. STUDENBERG. Yes. Isadore Kornfield.

Mr. COHN. Did you know Mr. Kornfield worked at GPO?

Mr. STUDENBERG. Yes. Edward M. Burke.

Mr. COHN. Mr. Burke is deceased. Is that right?

Mr. STUDENBERG. That is right. A Fred Siller, who worked at GPO. That is all the people from GPO to the best of my knowledge who were there.

Mr. COHN. Was Charlotte Sillers there?

She was not then Charlotte Sillers.

Mr. STUDENBERG. That is right. She came in there sometime in that period of time.

I amend that. I believe she was there when I came into the group.

Mr. COHN. Did Mr. and Mrs. Rothschild participate in the discussions at some of these meetings?

Mr. STUDENBERG. Yes.

Mr. COHN. Now, what literature was customarily distributed or discussed at the meetings?

Mr. STUDENBERG. Well, once a month we would usually get hold of a magazine that was a magazine put out every month—the official magazine *Political Affairs*.

Mr. COHN. That is the official monthly organ of the Communist party?

Mr. STUDENBERG. Yes. Sometimes we would get it late because sometimes we would go to the Washington Bookshop and purchase it. I mean sometimes we would get it early. We would usually purchase that. We might miss a month every so often. That was usually the basis for one discussion during the month.

Mr. COHN. And was the *Daily Worker* ever discussed?

Mr. STUDENBERG. No, the *Daily Worker*, as such, wasn't discussed.

Mr. COHN. In other words, you can't recall any discussion around the *Daily Worker*?

Mr. STUDENBERG. Any article discussed—not as such. I think some of the articles might have appeared later in the monthly magazine.

Mr. COHN. Do you remember any specific articles or specific material discussed?

Mr. STUDENBERG. Yes, one I specifically remember which comes to my mind right now, there was an article when we went into the

war, an article on "What Should the Role of American Labor Be Now That We Are at War?"

The CHAIRMAN. In other words, at that time you were curious to know what the Communist party had to offer. You scrutinized what they had to offer, listened to the discussion of the Communist line and philosophy and decided that that was not the answer to the ills of the world?

Mr. STUDENBERG. I took quite an agnostic view. I thought it might be the answer, but knowing nothing about it when approached, I felt joining such a group—as explained to me I would not be a member—would be a good way of finding out.

The CHAIRMAN. Who asked you to join this group?

Mr. STUDENBERG. This I could not remember. I could explain the place where it took place but I can't remember the name of the man. It was evidently somebody who had been asked to speak to me. He had seen me at a couple of the meetings and he asked me. I met him down on 17th and K, that park down there, and he asked me if I was interested and said he could get me into such a group.

The CHAIRMAN. Now, was Mr. Rothschild in this group before you were in?

Mr. STUDENBERG. He was there when I came into it.

[Off-the-record discussion.]

The CHAIRMAN. In other words, you couldn't say at this time which of the members at this study group were Communist party members and which were not because if they were party members they couldn't divulge that to you?

Mr. STUDENBERG. They wouldn't divulge it to me.

The CHAIRMAN. Nobody asked you if you wouldn't like to strengthen your ties. In other words, this was it?

[Off-the-record discussion.]

Mr. COHN. Mr. Studenberg, was any money ever collected at any of these meetings?

Mr. STUDENBERG. Yes. I never collected any, I don't remember how much it was or anything like that but there was money collected.

Mr. COHN. Would you say that money was collected for Communist activities of one sort or another?

Mr. STUDENBERG. Yes, the general nature was to assist in the Communist party activities.

Mr. COHN. Could you give us any typical examples?

Mr. STUDENBERG. Just in general. It wasn't too often. As I said, we might be requested to donate money for fund drives. As it was explained to us, it cost more to put out these magazines, etc. and then different people would give whatever they saw fit. In other words, they might give from \$1.00 to \$15.00. The spread might have been about that.

Mr. COHN. How often did they have a *Daily Worker* fund drive?

Mr. STUDENBERG. I think about once a year.

The CHAIRMAN. As far as you know, anyone at the study groups would understand that this was a study group called for the purpose of studying the Communist party line, philosophy and that sort of thing?

Mr. STUDENBERG. You say did everybody understand?

The CHAIRMAN. Yes. Do you think everyone would understand that?

Mr. STUDENBERG. That was my understanding.

The CHAIRMAN. In other words, that was the way it was put to you when you came into the group.

Mr. STUDENBERG. This was never discussed. The only thing we discussed—if there might have been an open meeting of the Communist party or something like that and if somebody said he went to it or he thought he might go to it, it came out in our discussions that it probably was best for us not to go since we were government workers and it probably would be best for us just—if we were interested—to restrict ourselves to this, so that anywhere there was an open meeting which was sponsored by the Communist party, I know I didn't go.

[Off-the-record discussion.]

Mr. COHN. Mr. Studenberg, would you say that the one thing that united the member of this group was a general agreement on the support for the open platform of the Communist party?

Mr. STUDENBERG. As published publicly, yes.

Mr. COHN. And that these discussions concerned methods of carrying out the platform and which would be the right methods and wrong methods on those things would be reported and discussed?

Mr. STUDENBERG. Yes. Specifically the program that I am talking about was, which I found out later was considered the minimum program, such things as extension of social security, old age benefits, recognition of unions and things like that. All of those professed things also in our international policies to put forth re-effort to defeat Fascism.

Mr. COHN. In general that was the thing?

Mr. STUDENBERG. In general, yes.

Mr. COHN. On specific things you might disagree, but in general you agreed that it was a good platform?

The CHAIRMAN. And the platform was obtained by reading *Political Affairs*, the Communist party publication?

Mr. STUDENBERG. That is right.

Mr. COHN. Do you remember the author of "What Should the Role of American Labor Be?"

Mr. STUDENBERG. No.

Mr. COHN. Do you remember Esther Rothschild giving a report on that issue?

Mr. STUDENBERG. Yes.

Mr. COHN. About when was this? Could you fix a definite date?

Mr. STUDENBERG. Shortly after we entered the war. I would say early 1942.

Mr. COHN. Could you give us the names of anyone else who attended those meetings that we haven't gone into, either in or out of government?

Mr. STUDENBERG. I have only given you names of people in the government. Names of people who were out of the government: John Tafer; Saul Minowitz.

In case of such a kind, I think it was explained we were asked if we would accept such a person and it was explained—I guess the reason why those persons wanted to be in a group such as ours—

and so in some cases we said, "No," and in these cases we said "Yes."

The CHAIRMAN. Did the study group have any name that it was known by other than just the study group?

Mr. STUDENBERG. As far as I can remember, it was just known as a group. In other words, we didn't have a name as such that I can remember.

The CHAIRMAN. Do you recall ever having attended any meetings in the Rothschild home of the Civil Liberties Club?

Mr. STUDENBERG. No, sir.

Mr. COHN. When did you join the party?

Mr. STUDENBERG. Not until a year after I left the GPO.

Mr. COHN. For how long a period of time did you remain in that?

Mr. STUDENBERG. Well, I remained—let me put it this way. As a member I guess I remained five or six years. It was somewhere about five or six years.

The CHAIRMAN. Did you visit the Rothschilds after you had joined the party?

Mr. STUDENBERG. No, sir, nor did I see them from the time I left the government.

The CHAIRMAN. In other words, after you left the government you had no contact with the Rothschilds?

Mr. STUDENBERG. That is right.

The CHAIRMAN. I think that is all for the time being. I want to thank you very much.

Herb, would you arrange if we want to get any further information from Mr. Studenberg, that he will be available.

Mr. STUDENBERG. I just want to ask the committee this. I would prefer, if possible, that if Mr. Hawkins is to get in touch with me or any other member of the committee, to do it at my home and not at my place of employment.

The CHAIRMAN. Sure. In other words, Herb, do not contact Mr. Studenberg at his place of business.

I think that is all. Thank you very much,

[Whereupon the hearing adjourned at 12:00 noon.]

## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—Gertrude Evans (1883–1966) and Charles Gift (1893–1980) testified at a public hearing on August 20, 1953. Despite the chairman's assertions, the Senate cited neither of them for contempt.]

THURSDAY, AUGUST 13, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 1:30 p.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Richard O'Melia, general counsel, Committee on Government Operations; Herbert S. Hawkins, investigator.

### TESTIMONY OF GERTRUDE EVANS (ACCOMPANIED BY HER COUNSEL, JOSEPH FORER)

The CHAIRMAN. Mrs. Evans, will you stand and be sworn.

In the matter now in hearing, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. EVANS. I do.

The CHAIRMAN. For the record, Mrs. Evans, is it Miss or Mrs.?

Mrs. EVANS. Mrs. Mr. Joseph Forer is my counsel.

The CHAIRMAN. I assume you have told Mrs. Evans what her rights are?

Mr. FORER. I have, Senator.

Mr. COHN. Mrs. Evans, are you a member of the Communist party?

Mrs. EVANS. I refuse to answer on the basis of my privilege under the Fifth Amendment not to be a witness against myself.

Mr. COHN. Now, were you a member of the Communist party between the year 1948 and 1953?

Mrs. EVANS. It is the same answer.

Mr. COHN. And are you today receiving money from the Communist party as salary?

Mrs. EVANS. Same answer.

Mr. COHN. What is your occupation?

Mrs. EVANS. I am executive secretary of the Progressive party of the District of Columbia.

Mr. COHN. For how long a period of time have you held that position?

Mrs. EVANS. I am trying to think. I think it must be between four and five years. A year after the election in 1946. A year after.

Mr. COHN. Mrs. Evans, did you ever attend a Communist party meeting at the home of Mrs. Esther Rothschild on Dix Street N.E., Washington, D.C.?

You may consult with counsel any time you care to.

Mrs. EVANS. I refuse to answer on the same basis—my privilege under the Fifth Amendment.

The CHAIRMAN. May I suggest, while you definitely have that right and you have a competent lawyer to advise you, the Rothschilds have asked that you be called, probably on the theory that you may be some help to them. When you refuse to answer whether or not you attended Communist party meetings in their home, you are not being much help to them.

I can understand if you did attend such meeting that you would naturally want to refuse to answer. In fairness to these people who are accused of membership in the Communist party and deny it, if you have not attended Communist party meetings at their home, in view of the fact they think you might help them. I think you should answer the question. However, you have a very competent lawyer here and we are not going to advise you. If you persist, you may refuse to answer that question.

Mrs. EVANS. I still abide by my refusal.

The CHAIRMAN. In other words, you feel if you gave a truthful answer as to whether or not you attended Communist party meetings at their home that might tend to incriminate you?

Mrs. EVANS. I think that is an assumption. As I understand incrimination it doesn't mean guilt or knowledge.

The CHAIRMAN. The question was: Do you feel a truthful answer to that question might tend to incriminate you?

You can consult with your lawyer at any time you care to.

Mrs. EVANS. The answer is "yes."

The CHAIRMAN. Then you are entitled to the privilege.

Mr. COHN. Did you specifically attend Communist meetings at the home of the Rothschilds in the years 1944 and 1945 when Elizabeth Searle and Esther Rothschild were present?

Mrs. EVANS. My answer will be the same.

The CHAIRMAN. By the same, do you mean you refuse to answer on the grounds of the Fifth Amendment?

Mrs. EVANS. My privilege under the Fifth Amendment.

Mr. COHN. Do you know Esther Rothschild as a member of the Communist party?

Mrs. EVANS. To the best of my recollection, I do not recall Mrs. Rothschild. Perhaps I knew her under her maiden name but I do not recall a Mrs. Esther Rothschild to the best of my knowledge.

Mr. COHN. Do you recall Elizabeth Searle?

Mrs. EVANS. I refuse to answer on the basis of the Fifth Amendment.

Mr. COHN. How about a Mr. Thomas? Do you know a Mr. Thomas?

Mr. FORER. Excuse me, Senator. Do you have the first name?

The CHAIRMAN. Unfortunately, I don't have. Mr. Thomas testified before the House Un-American Activities Committee on the 13th of June 1950.

Mr. FORER. Is that Henry Thomas?

Mr. HAWKINS. That is Henry.

The CHAIRMAN. Henry Thomas.

Mrs. EVANS. I refuse to answer on the same basis.

The CHAIRMAN. Mr. Thomas has testified that you were a member of the Communist party. Would you care to tell us whether he was telling the truth at that time or not?

Mrs. EVANS. I decline to answer on the same basis.

Mr. COHN. The question is this. We have testimony that you and Elizabeth Searle and a woman named Mary Stalcup attended a Communist party meeting at the Dix Street home of Mrs. Esther Rothschild. Is that true?

Mrs. EVANS. I refuse to answer.

Mr. COHN. Have you ever been to the home of Mrs. Rothschild on Dix Street?

Mrs. EVANS. I told you previously that I do not recall Mrs. Rothschild to the best of my recollection.

Mr. COHN. Did you attend any Communist party meetings at a home on Dix Street?

Mrs. EVANS. I refuse to answer under the privilege of the Fifth Amendment.

The CHAIRMAN. I am going to ask you to go out and view the Rothschild home on Dix Street and we are going to recall you again so you will be in a position to either answer "yes" or "no" as to whether you attended meetings there or if you care to refuse to answer, you will have that privilege. I want you to go out and view that home, 3430 Dix street N.E. And the committee, of course, will pay your cab fare to and from.

Mr. COHN. That is quite important, Mr. Forer. We have sworn testimony that Mrs. Evans was present with Mrs. Rothschild and Miss Searle at Mrs. Rothschild's home. If she said she does not recall—

Mrs. EVANS. I said I do not recall.

Mr. FORER. Mrs. Evans will go out and look at the home.

The CHAIRMAN. Will you show these pictures to Mrs. Rothschild and see if she recognizes this man.

Mrs. Evans, will you take a look at that and see if you recall him?

Mrs. EVANS. That is not familiar to me.

The CHAIRMAN. Did you know a Mary Stalcup?

Mrs. EVANS. I decline to answer on the basis of the Fifth Amendment.

The CHAIRMAN. To refresh your memory, she is an undercover agent for the FBI. She is now Mary Markward. With that additional information, do you care to answer whether you knew her?

Mrs. EVANS. My answer is the same.

The CHAIRMAN. On the grounds of the Fifth Amendment?

Mrs. EVANS. Yes.

The CHAIRMAN. I don't know if you were asked this question or not. Are you now a member of the Communist party, as of today?

Mrs. EVANS. I refuse to answer on the grounds of the Fifth Amendment.

The CHAIRMAN. Would you consider the Communist form of government as presently found in Russia superior to our form of government?

Mrs. EVANS. All I can answer to that is I don't know about the details of it. I think this government if carried out—the Bill of Rights and the Constitution as indicated by our founding fathers, we would have a fine government and procedure here in this country.

The CHAIRMAN. Have you ever advocated the overthrow of our government?

Mrs. EVANS. I certainly have not.

The CHAIRMAN. Have you ever attended any Communist meetings in which was advocated the overthrow of our government by force and violence?

Mrs. EVANS. I have never attended any meetings when I have heard anyone advocate the overthrow of the government by force and violence.

The CHAIRMAN. Is it your thought that the Communist party does not advocate the overthrow of our government by force and violence?

Mrs. EVANS. The only answer I can give to that is that I have never met anyone personally who advocates the overthrow of the government by force and violence.

The CHAIRMAN. You apparently haven't heard my question.

Is it your opinion that the Communist party does not advocate the overthrow of this government by force and violence?

Mrs. EVANS. It is my opinion that it does not advocate the overthrow of this government by force and violence.

The CHAIRMAN. Under the circumstance you will be ordered to answer the question of whether or not you are a Communist.

For the benefit of your counsel, the grounds for ordering the witness to answer is that under our laws it is no crime to be a member of the Communist party unless you are aware of the fact that the party advocates the overthrow of this government by force and violence. This witness has said that she is of the opinion they do not advocate the destruction of our government by force and violence. Therefore, she could be a member of the Communist party and be guilty of no crime. Therefore, she is not entitled to the privilege under the Fifth Amendment. For that reason I am ordering Mrs. Evans to answer the question. If you do not answer, I will ask the committee to have you cited for contempt.

Just answer the question of whether or not you are a member of the Communist party. Just so the record will be clear and so there will be no doubt in your mind in any further legal proceeding, you were first asked if you were a member of the Communist party.

You were entitled to refuse to answer that question on the ground that that answer might tend to incriminate you, if you feel the Communist party advocates the destruction of our government by force and violence.

If, as you say, you do not believe that is the aim of the Communist party, then to be a member of the Communist party would not incriminate you—would be no crime. Therefore, you could not avail yourself of the Fifth Amendment. For that reason you are being ordered to answer the question as to whether or not you are, as of this moment, a member of the Communist party.

Mrs. EVANS. I still decline to answer on the basis of my privilege under the Fifth Amendment—not to be a witness against myself.

The CHAIRMAN. Just for the benefit of counsel, you understand the position of the chairman, whether you agree or not is another thing.

Mr. FORER. Of course.

The CHAIRMAN. I may say it may be sometime before you are cited for contempt because of the fact the Senate is out of session, but I am going to ask them to cite you for contempt on this matter.

Roy, will you send this record over to the attorney general and to the United States attorney with her position on the case, and get an opinion from them on that question.

Mr. FORER. I don't know how busy you are. I assume you are busy. I would like to have this cleaned up this afternoon. I wonder if you could have your client go out and see the Rothschild home now.

Mr. FORER. You mean this Dix Street address?

The CHAIRMAN. Yes.

Mrs. EVANS. May I say something? I don't recall ever being on Dix Street in my life.

The CHAIRMAN. We want this positive. We have positive testimony of several witnesses you were there. I want you to see the home so that you won't make any statement now that you will be called upon to change later.

Mr. FORER. Senator, can we work it this way. As I understand, you are calling back Mrs. Evans for an open hearing. Can we work it so she goes out and takes a look at the house and get in touch with Mr. Cohn by phone.

The CHAIRMAN. I had much rather have her back here. I'd like to have her see Mrs. Rothschild also. Mr. Hawkins can take you and Mrs. Evans out. I'd like to have you take them out to see the house on Dix Street, number one. Number two, take her over to see Mrs. Rothschild so she can come back here and tell us whether or not she knows Mrs. Rothschild. Will that foul up your schedule for this afternoon, Mr. Forer?

Mr. FORER. I don't know as I have to go along.

The CHAIRMAN. Herb, why don't you take Mrs. Evans. Then by the time you get back we should be through with Mr. Gift.

Mrs. Evans, have you ever been to a Communist party meeting on Riverside Terrace?

Mrs. EVANS. Was I ever in Paris?

The CHAIRMAN. The question was not: Were you ever in Paris? Were you ever to a Communist meeting at Riverside Terrace?

Mrs. EVANS. I decline to answer under my privilege under the Fifth Amendment.

The CHAIRMAN. Dix Street is Riverside Terrace.

Have you ever been to Communist meetings at the Rothschild home?

Mrs. EVANS. The answer is the same.

The CHAIRMAN. You decline to answer.

Mrs. EVANS. Yes.

**TESTIMONY OF GERTRUDE EVANS (RESUMED)**

The CHAIRMAN. Mrs. Evans, since you were in here, you have had a chance to get a look at the Rothschild home. That is the home on Dix Street, the former Rothschild home.

Mrs. EVANS. This house was pointed out to me by Mr. Hawkins.

The CHAIRMAN. Since seeing it can you tell us whether you ever attended any meetings in that home?

Mrs. EVANS. I decline to answer under my privilege under the Fifth Amendment.

The CHAIRMAN. Since then you were taken over to see Esther Rothschild. Did you attend any Communist meetings with her?

Mrs. EVANS. I haven't had a chance to see her.

The CHAIRMAN. I understand she slammed the door in your face.

Mrs. EVANS. I didn't see her.

The CHAIRMAN. That will be all for the time being.

Mr. Frosh has asked that you be called as a witness in public session and he said he may have written questions to submit to the committee.

Mrs. EVANS. I am sorry, Senator. I couldn't hear you.

The CHAIRMAN. You will be called again. Mr. Frosh, the attorney, has asked that you be called. Mr. Cohn or Mr. Carr will be in touch with Mr. Forer.

Mr. FORER. Senator, one thing I wanted to raise. Mrs. Evans was planning to go on vacation. If it would be at all possible to get her Monday it wouldn't spoil her vacation. If you could get her as one of the early ones.

The CHAIRMAN. If you will remind us Monday, we will arrange that some way.

Mrs. EVANS. Then I will know through Mr. Forer.

The CHAIRMAN. We will arrange to get you on Monday.

Will Monday or Tuesday be all right?

Mr. FORER. Monday would be better. Tuesday will be second best.

The CHAIRMAN. Barring the unforeseen, we will definitely get you on Monday.

**TESTIMONY OF CHARLES GIFT (ACCOMPANIED BY HIS  
COUNSEL, JOSEPH FORER)**

The CHAIRMAN. In the matter now in hearing do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GIFT. I do.

Mr. COHN. Mr. Gift, have you ever been a member of the Communist party?

Mr. GIFT. I decline to answer that question on the basis of my privilege under the Fifth Amendment not to be a witness against myself.

Mr. COHN. Are you a member of the party today?

Mr. GIFT. I refuse on the same basis.

Mr. COHN. Mr. Gift was there a Communist party meeting at your home in the year 1939?

Mr. GIFT. I refuse to answer on that same basis.

Mr. COHN. Was there a Mr. Edward Rothschild and Mr. Fred Sillers at a Communist meeting at your home in the year 1939?

Mr. GIFT. I decline to answer that on the same basis.

Mr. COHN. Do you know Edward Rothschild in the Communist party?

Mr. GIFT. I decline to answer that one also.

Mr. COHN. Do you know Fred Sillers in the Communist party?

Mr. GIFT. I think I decline on the same thing.

Mr. COHN. Do you know anybody by the name of Jim Phillips?

Mr. GIFT. I decline to answer that one also.

Mr. COHN. Were Mr. Phillips, Mr. Rothschild and Mr. Sillers present at a meeting at your home in 1939 in which formation of a Communist party cell in the GPO was discussed?

Mr. GIFT. I decline to answer that one on the same basis.

Mr. COHN. Were you arrested in 1952, January 12, 1952?

Mr. GIFT. I was not.

Mr. COHN. You were not, you say?

Mr. GIFT. I was not.

Mr. COHN. Were you arrested in 1952 at all to your knowledge?

Mr. GIFT. I was not arrested at all.

Mr. COHN. In 1951?

Mr. GIFT. Neither in 1951.

Mr. COHN. Were you arrested any time in the last few years?

Mr. GIFT. I was not arrested in the last three years.

Mr. COHN. Were you arrested in connection with collecting defense funds for Marie Richardson Harris, who is awaiting trial in a court down here?

Mr. GIFT. I was not arrested. I just wasn't arrested.

The CHAIRMAN. We seem to have information here to indicate that you attended a meeting called by the District Communist party to raise defense funds for Marie Richardson Harris. We have the date as January 12, 1952. Will you tell us whether or not you attended such a meeting?

Mr. GIFT. I decline to answer that one.

The CHAIRMAN. In any event, you say you were not arrested?

Mr. GIFT. I was not arrested, period.

The CHAIRMAN. Were you spoken to by any officer of the law concerning that meeting?

Mr. GIFT. I decline to answer that one also.

Mr. COHN. Were you picked up by the police on January 12, 1952?

Mr. GIFT. I was not picked up by the police.

Mr. COHN. Were you spoken to?

Mr. GIFT. I might have been.

Mr. COHN. Do you recall?

Mr. GIFT. I don't recall.

Mr. COHN. Do you recall any contact with the police or law enforcement officials in connection with your attendance at a party at 641 4th Street, N.E. on January 12, 1952?

Mr. GIFT. You mentioned attendance.

Mr. COHN. I am speaking of any police, law-enforcement officials who spoke to you, whether you attended that party or not.

Mr. GIFT. Not that I know of.

Mr. COHN. You were in no contact whatsoever at your attendance at this party for the collection of defense funds for Marie Harris? Did they speak to you?

Mr. GIFT. Not that I know of.  
 Mr. COHN. Have you ever been arrested?  
 Mr. GIFT. Almost.  
 Mr. COHN. When was that?  
 Mr. GIFT. That was a long time ago. Two minor traffic violations.  
 Mr. COHN. Were you ever arrested for anything other than traffic violations?  
 Mr. GIFT. I was not.  
 The CHAIRMAN. How many children do you have?  
 Mr. GIFT. Two. Two daughters.  
 The CHAIRMAN. Did one of them used to keep company with a Jim Phillips?  
 Mr. GIFT. That I have to refuse to answer on the same grounds.  
 The CHAIRMAN. Were your daughters members of the Communist party?  
 Mr. GIFT. Not that I know of.  
 The CHAIRMAN. Was your wife a member of the Communist party?  
 Mr. GIFT. Not that I know of.  
 The CHAIRMAN. Where do your daughters now work?  
 Mr. GIFT. One of them is not working.  
 The CHAIRMAN. Is she married?  
 Mr. GIFT. Yes, sir.  
 The CHAIRMAN. And where does she live?  
 Mr. GIFT. She lives near the edge of Maryland.  
 The CHAIRMAN. Do you have her address?  
 Mr. GIFT. I do not.  
 The CHAIRMAN. Do you know her address?  
 Mr. GIFT. I do not. It is Southeast.  
 The CHAIRMAN. What is her married name?  
 Mr. GIFT. Fisher.  
 The CHAIRMAN. What is her husband's first name?  
 Mr. GIFT. Phillip.  
 The CHAIRMAN. What does he do?  
 Mr. GIFT. He used to work for the government. I think he works for an attorney in some sort of job.  
 The CHAIRMAN. Is he a lawyer himself?  
 Mr. GIFT. No. I think not.  
 Mr. COHN. What agency did he work for in the government?  
 Mr. GIFT. I think the Navy Department.  
 Mr. COHN. Do you know how long since he left government work?  
 Mr. GIFT. I imagine it was a couple of years.  
 Mr. COHN. Did you ever attend any Communist party meetings with this man Fisher?  
 Mr. GIFT. I will have to refuse to answer that question also on the basis of the Fifth Amendment.  
 Mr. COHN. Did you ever take either of your daughters to Communist party meetings?  
 Mr. GIFT. I refuse to answer that one also.  
 Mr. COHN. Did you ever take your wife to Communist party meetings?  
 Mr. GIFT. The same answer on that one.  
 Mr. COHN. Where is the other daughter?  
 Mr. GIFT. She is in Washington.

Mr. COHN. Is she working in the Justice Department?

Mr. GIFT. That is right.

Mr. COHN. What is her first name?

Mr. GIFT. Gale.

Mr. COHN. And do you know what type of work she is doing in the Justice Department?

Mr. GIFT. Clerical work.

Mr. COHN. In the Anti-Trust Division?

Mr. GIFT. Well, now, it was. I am not sure it is right now.

Mr. COHN. And you refuse to answer whether or not you ever attended a Communist party meeting with your daughter Gale.

Mr. GIFT. Of course, I didn't.

Mr. COHN. You did not.

You never attended a Communist party meeting with your daughter Gale?

Mr. GIFT. That is right.

Mr. COHN. Did you ever suggest to her that she join the Communist party?

Mr. GIFT. I did not.

Mr. COHN. How about your other daughter, the wife of Mr. Fisher. Did you attend a Communist party meeting with her?

Mr. GIFT. I did not.

The CHAIRMAN. Just a moment ago you refused to answer that on the grounds that your answer might tend to incriminate you?

Mr. GIFT. I said on the basis of my privilege not to be a witness against myself.

The CHAIRMAN. Do you think you would be a witness against yourself if you gave us a truthful answer to that?

Mr. GIFT. I might.

The CHAIRMAN. In what way could you be a witness against yourself if you had never attended a Communist party meeting with her?

Mr. GIFT. I don't know what the circumstances would be.

The CHAIRMAN. When you refused to answer did you feel that a truthful answer might incriminate you?

Mr. GIFT. It might. I just don't know.

The CHAIRMAN. The answer that you did not attend meetings with them would incriminate you?

Mr. GIFT. No, that would not incriminate me.

The CHAIRMAN. Then do you feel you improperly used the privilege?

Mr. GIFT. No, I don't feel I improperly used the privilege.

The CHAIRMAN. In other words, you feel you are entitled to the privilege if your answer won't incriminate you.

You have just told us, number one, that the answer won't incriminate you. Just a bit ago you told us that the answer would incriminate you. I am going to tell you something. You are not going to play with this committee. This is no laughing matter. The privilege under the Fifth Amendment is a very important privilege. You will not come in here and play with it. You have told us you would not answer whether or not you attended Communist party meetings with your daughter on the grounds that a truthful answer might incriminate you. Another minute later you say you attended no such meetings.

My question is: Do you feel that to tell the truth as to whether or not you attended Communist party meetings with your daughter, that would incriminate you?

Mr. GIFT. No, the truth will not incriminate me.

The CHAIRMAN. Your case will be referred to the full committee and I am going to ask them to cite you.

I may say, Mr. Forer, I am getting sick of witnesses playing around with this committee. They are not going to do it, I am just telling you. Unless you feel a truthful answer will tend to incriminate you, don't take advantage of the Fifth Amendment.

The CHAIRMAN. Are you a Communist as of today?

Mr. GIFT. I refuse to answer that question.

The CHAIRMAN. On what grounds?

Mr. GIFT. On the basis of my privilege not to be a witness against myself.

The CHAIRMAN. Do you honestly feel a truthful answer might tend to incriminate you?

Mr. GIFT. I refuse to answer that question.

The CHAIRMAN. You will be ordered to answer that question.

Mr. GIFT. I think I am right in declining to—

The CHAIRMAN. The question is: Do you feel if you told us the truth as to whether or not you are a member of the Communist party today, that a truthful answer might tend to incriminate you?

Mr. GIFT. I think it might.

The CHAIRMAN. You think it might?

Mr. GIFT. That is right.

The CHAIRMAN. If you were not a Communist today and you told us you were not, do you feel that would tend to incriminate you?

Mr. GIFT. I wish you would repeat that.

The CHAIRMAN. If you were not a Communist today and you truthfully told the committee you were not a Communist, do you think such an answer might tend to incriminate you?

Mr. GIFT. I would like to exercise my privilege on that.

The CHAIRMAN. If a man other than yourself were on the witness stand and he was asked whether or not he is a Communist at this moment, if he were not a Communist and he were to truthfully say he were not a Communist, do you think that might tend to incriminate him?

Mr. GIFT. I have no way of knowing whether it would or not.

The CHAIRMAN. Then we will get back to the question and you.

If you are not a Communist and if you were to tell us that you were not a Communist, do you think that would tend to incriminate you?

Mr. GIFT. I think I am entitled to decline on that one on the same basis of my privilege.

The CHAIRMAN. Mr. Cohn and Mr. Forer also, both of you are lawyers. In fact all of the men here are lawyers. I think before I order the witness to answer that, let's discuss it.

In order to determine whether a man is entitled to the privilege of the Fifth Amendment, we must know what he has in mind when he says it will tend to incriminate me. This is doubly true in view of the fact that he has said an answer might tend to incriminate him and then given an answer that it could not even conceivably tend to incriminate him. I will be glad to hear you on that.

Mr. FORER. I don't see any particular reason in getting into a legal discussion. I think it is clear you and I have different views. To me it seems quite clear under the decision that he can claim his privilege, can refuse to answer, when non-essential cross-examination is seeking to get behind the original privilege.

The CHAIRMAN. The committee has the right to determine if the privilege is used in good faith.

Mr. FORER. The committee is not entitled to go as far as it is going.

The CHAIRMAN. Is it your view that the mere assertion of the privilege is an assertion of good faith?

Mr. FORER. Of course not. The whole business of inquiry, which are innocent on face and setting and here the questions involved are not innocent on face and certainly not in their setting; once that has been established, I don't think you have any right.

Senator, I want to add one other thing. I don't mean to be disrespectful, but I think you are making a mountain out of a mole hill. The witness is sitting there and has questions fired at him and he claims the privilege sometimes. I don't think that necessarily impeaches his good faith all the way through. It is perfectly clear to me that Mr. Gift answered in good faith on the question about his daughters when it was first asked. He didn't consult counsel. You know the witness is faced by an interrogator and is not in the most comfortable position in the world.

The CHAIRMAN. I think the witness has shown completely bad faith by claiming the privilege when he would not have claimed the privilege previously. I believe we should find out the basis for his claiming the privilege. Therefore, you will be ordered to answer the question, Mr. Gift, and I assume you will want to discuss it with counsel.

Do you recall the question? The question is: Do you feel that if you were not a member of the Communist party and you were to tell us that you were not that, such an answer might tend to incriminate you?

Mr. GIFT. I decline to answer for the same reason as previously stated.

The CHAIRMAN. Have the record show that the witness has been ordered to answer and he still declines to answer.

Mr. Gift, is it your opinion that the Communist party is dedicated to the destruction of our form of government by force and violence?

Mr. GIFT. I don't know of any organization who is committed to force and violence. I know of no such contact.

The CHAIRMAN. The question is: Is it your opinion that the Communist party has as its program the destruction of this government by force and violence?

Mr. GIFT. I decline to answer that question.

The CHAIRMAN. Is it your testimony that you never attended a Communist party meeting with either of your two daughters or with your wife?

Mr. GIFT. No, I didn't attend any such with my wife or daughters, either one.

The CHAIRMAN. Did you ever attend any Communist party meetings with your son-in-law?

Mr. GIFT. I decline to answer that question.

The CHAIRMAN. Did you ever attend any Communist meetings with Jim Phillips?

Mr. GIFT. I decline again to answer that question on the same basis.

The CHAIRMAN. Do you know Edward Rothschild?

Mr. GIFT. I decline to answer that on my privilege.

The CHAIRMAN. Did you ever attend a Communist party meeting with Edward Rothschild?

Mr. GIFT. The answer would be the same.

The CHAIRMAN. Do you decline to answer on the grounds that a truthful answer might tend to incriminate you?

Mr. GIFT. Yes.

The CHAIRMAN. Just so you can't claim later that you did this too hurriedly, is it your testimony today, after taking all the consideration that you think necessary that a truthful answer as to whether you attended a Communist meeting with Edward Rothschild would tend to incriminate you?

Mr. GIFT. It might.

The CHAIRMAN. You say that might tend to incriminate you?

Mr. GIFT. Yes.

The CHAIRMAN. Did you ever attend a Communist meeting at Edward Rothschild's home?

Mr. GIFT. I decline to answer that on my privilege.

The CHAIRMAN. On the ground that a truthful answer might tend to incriminate you?

Mr. GIFT. It might.

The CHAIRMAN. And you feel that a truthful answer might tend to incriminate you?

Mr. GIFT. It might.

The CHAIRMAN. Do you know Miss Stalcup, Miss Mary Stalcup?

Mr. GIFT. I decline to answer that one on the basis of my privilege.

The CHAIRMAN. Did you ever solicit Mr. Phillips, Mr. Jim Phillips to join the Communist party?

Mr. GIFT. I decline to answer that one on the privilege stated before.

The CHAIRMAN. Do you know Jim Phillips?

Mr. GIFT. I decline to answer that one.

The CHAIRMAN. Do you know Mary Markward?

Mr. GIFT. I decline to answer that one.

The CHAIRMAN. Were there ever Communist meetings held in your home?

Mr. GIFT. I decline to answer that one.

The CHAIRMAN. Do you decline to answer on the grounds that the answer might tend to incriminate you?

Mr. GIFT. On my privilege, yes. My statement is there, that I am not required to be a witness against myself.

The CHAIRMAN. You are declining to answer whether or not Communist party meetings were held in your home on the grounds that a truthful answer might tend to incriminate you?

Mr. GIFT. It might.

The CHAIRMAN. Is that correct?

Mr. GIFT. That is correct.

The CHAIRMAN. Were there Communist party meetings held in your home at which either of your two daughters were present?

Mr. GIFT. No, there was no such thing.

The CHAIRMAN. Never when they were present?

Mr. GIFT. I told you. I never attended meetings with my daughters, neither of them.

The CHAIRMAN. Was there ever such a meeting in your home while your wife was present?

Mr. GIFT. There was not.

The CHAIRMAN. Did you and Mr. Rothschild ever solicit Mr. Phillips to join the Communist party?

Mr. GIFT. I decline to answer that on my privilege stated before.

The CHAIRMAN. Do you feel that if you told the truth on that that answer might tend to incriminate you?

Mr. GIFT. It might.

Mr. COHN. Do you live at 1227 Queen Street, N.E.?

Mr. GIFT. I did.

Mr. COHN. Did you ever have any Communist party meetings at that place?

Mr. GIFT. I refuse to answer that.

Mr. COHN. Was Mr. Rothschild ever in your home at that address?

Mr. GIFT. I refuse to answer that on the same basis.

The CHAIRMAN. You will remain available, Mr. Gift, and we will notify your attorney, Mr. Forer, when we want you here. It will be Monday most likely.

Mr. GIFT. I can pretty well count on Monday.

The CHAIRMAN. I think so. This hearing appears as if it may last sometime and it is difficult to know when we will get to any particular witness. I should say most likely Monday.

Mr. GIFT. What time do you expect to start?

The CHAIRMAN. Ten o'clock, I would say.

Mr. GIFT. I should be available all day?

The CHAIRMAN. Yes.

[Whereupon the hearing adjourned at 12:20 p.m.]



## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—On August 11, 1953, a spokesman for the Atomic Energy Commission told the press that none of its restricted information was printed "at the regular Government Printing Office."

Harold Merold, production manager at the Government Printing Office, testified in public session on August 19. Jack Zucker (1910–2001), a former labor organizer for the Congress of Industrial Organizations, then serving as director of the bail program for the Civil Rights Congress, testified publicly on August 20, 1953.

Neither Howard Koss nor Isidore Kornfield (1898–1982) appeared in public session. The Government Printing Office later transferred Kornfield and all other employees under security investigation to the Library of Congress.]

FRIDAY, AUGUST 14, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 10:45 a.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Richard O'Melia, general counsel, Committee on Government Operations; Ruth Young Watt, chief clerk.

### TESTIMONY OF HAROLD MEROLD, PRODUCTION MANAGER, GOVERNMENT PRINTING OFFICE

The CHAIRMAN. In the matter now in hearing, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MEROLD. I do.

The CHAIRMAN. Mr. Merold, you are the production manager for the Government Printing Office?

Mr. MEROLD. Right, yes, sir.

The CHAIRMAN. We have some questions here about whether Atomic Energy material, material concerning the A-bomb and the H-bomb—There has been some dispute as to the extent of the Atomic Energy printing done in GPO.

Now, we have this list from the Government Printing Office and this would indicate that apparently the navy's work and Atomic Energy work is bunched and I wonder if you could give us a run-down on that? Could you give us a breakdown on this, I wonder, as to the extent of Atomic Energy work produced by the Government Printing Office?

Mr. MEROLD. Well, sir, on one occasion, which was around the 1st of March of this year, I personally saw some proofs that were returned by the Department of Navy okay to print. My attention was called to the classification marking on some of the pages which

was restricted data. To us that means that it is material that came from, originally, the Atomic Energy Commission.

The assistant security officer at that time, to the best of my knowledge, called Mr. Duggan at the Navy Department and advised him that we had received this material to print and that we noted that it contained restricted data and asked him for further orders. We were told that we were to proceed to print the job for navy; that the classification officers at the navy made the determination that that material could be printed in the GPO. We, therefore, proceeded printing and delivered the job.

The CHAIRMAN. One other question. There seems to be considerable confusion as to how work is divided up between the general GPO office and this Department of State service building. Who makes the decision on that?

Mr. MEROLD. Sir, the Department of State service office was first run by the Office of Strategic Services in World War II. After the cessation of hostilities that plant was turned over to the public printer as one of the branches of the Government Printing Office.

The Atomic Energy Commission made a determination sometime later that that plant could be cleared and that it had a reasonable number of employees to perform Atomic Energy restricted data work, printing.

The CHAIRMAN. By restricted I presume you include secret, top secret and confidential?

Mr. MEROLD. Yes.

The CHAIRMAN. In other words, you mean classified?

Mr. MEROLD. I mean restricted data, which encompasses all classifications.

The CHAIRMAN. The reason I asked that, there are classifications secret, top secret, confidential and restricted. You are not using restricted in that sense?

Mr. MEROLD. I meant restricted data, which would be all writing emanating from the Atomic Energy Commission.

The CHAIRMAN. Running up as high as top secret?

Mr. MEROLD. Yes, sir.

After that it was determined that that plant would also be used for printing for the CIA, and there may have been one or two other agencies that obtained permission to have their printing done there also, direct that is.

With regard to one of the jobs handled for navy, navy had no such authorization to submit there work direct to that plant. Their orders all come to the central office and on one of their orders termination was made to send the work to the State Department plant for production.

The CHAIRMAN. Let me ask you this while we are talking about sending material directly to the State Department plant.

Mr. Cole, the other day, and the other gentleman, Mr. Blattenberger, they told us that if you sent work over to GPO, as they referred to one of their customers—that may be army, navy, Atomic Energy or CIA—they said that the determination was then made as to where it should be printed; whether it should be printed in the State Department building, if you can call it that, or in the general office; and they told us also that the degree of secrecy required had nothing to do with where it was printed but it was

solely a question of the type of job and type of equipment required, the speed with which you were supposed to get it out; that the degree of secrecy or importance of the documents had nothing to do with whether it was assigned to the State Department printing shop or the general GPO plant, that it was solely a question of the type of job.

Mr. MEROLD. That is true.

The CHAIRMAN. Then am I correct—let's say I am over at Atomic Energy and I have some top secret work. I send it over to have printed. Even though I may think it is going to the State Department building, if the job can adequately, speedily be handled there, that would not be shifted over to there.

Mr. MEROLD. May I say—I think I can clarify one point here.

The CHAIRMAN. May I say that the reason I asked you that was because Atomic Energy made the announcement yesterday that no work of Atomic Energy was printed in GPO. We know from a number of witnesses that that is untrue. I am trying to find out whether whoever made that statement was deliberately lying or under the impression that all of his stuff went to a separate building.

Mr. MEROLD. To the best of my knowledge the material that emanates from Atomic Energy which is classified or restricted data, they send directly to the State office under an agreement reached with the public printer. The non-classified work from Atomic Energy comes direct to the central office.

The CHAIRMAN. Let's say you are dealing with the Nike project. That is a project having to do with atomic matters. They are working now towards putting atomic warheads in Nike. That, I assume, would be sent over by the military while it would deal strictly with atomic warheads and not from Atomic Energy. In that way do you get atomic work?

Mr. MEROLD. The two jobs cited, that is exactly the way we got those.

The CHAIRMAN. So there is no question about the fact that there has been some Atomic Energy classified work handled in the general GPO office?

Mr. MEROLD. There is no question.

The CHAIRMAN. No question at all?

Mr. MEROLD. No, sir.

The CHAIRMAN. I think that is about all we want, Mr. Merold.

We wanted to clear up this question. Again I will thank you very much. We don't like to disrupt your office but this is so important we have got to do it.

**TESTIMONY OF JACK S. ZUCKER (ACCOMPANIED BY HIS  
COUNSEL, HAROLD BUCHMAN)**

The CHAIRMAN. Mr. Zucker, will you raise your right hand and be sworn.

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ZUCKER. I do.

The CHAIRMAN. Would counsel identify himself.

Mr. BUCHMAN. Harold Buchman, 205 Tower Building, Baltimore.

The CHAIRMAN. I am not sure you have appeared before the committee before—

Mr. BUCHMAN. I have not.

The CHAIRMAN. Let me quickly run over the rules of the committee insofar as counsel is concerned. The witness may at any time he cares to consult with counsel, advise with counsel. Counsel may not interrupt the proceedings himself to advise his client. If at any time a matter of such importance to your client comes up that you want to have a private conference with him, we will try and find a room so you can do that.

The CHAIRMAN. Mr. Zucker, what is your first name?

Mr. ZUCKER. Jack.

Mr. BUCHMAN. Before proceeding may I make a statement for the record.

The CHAIRMAN. Go ahead.

Mr. BUCHMAN. I want to enter for the record—I want to challenge the competency of the committee on the ground of lack of a quorum.

The CHAIRMAN. Just for your information, I will inform you that under the rules of the committee one member constitutes a quorum.

Mr. Zucker, do you know a Mr. Edward Rothschild?

Mr. ZUCKER. I invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. In other words, it is your position that if you tell us the truth as to whether or not you knew Rothschild that might tend to incriminate you.

Mr. ZUCKER. In reply to your question, I feel you have no right to ask the question, therefore, I invoke the privilege again to the second question.

The CHAIRMAN. You will be ordered to answer that and I will explain to you why so there can be no defense of ignorance of the law and facts at any subsequent legal proceeding.

You are entitled to refuse to answer any question if you honestly feel a truthful answer might tend to incriminate you. You are not entitled to invoke the privilege if you feel that perjury might incriminate you. Before we can decide whether or not you are entitled to the privilege of the Fifth Amendment, we must know whether or not a truthful answer might tend to incriminate you.

For that reason you are ordered to answer as to whether or not you know Edward Rothschild?

Mr. ZUCKER. My reply is, Senator, again I refuse to answer and invoke it.

The CHAIRMAN. You will be ordered to answer the question.

Let the record show that the witness declines to answer after he has been ordered to answer.

It will take some time before we will get around to citing you for contempt as it will take the full committee to do that. That will be done, however. We will present it to the other senators.

Did you ever sit on a Communist board before which Edward Rothschild appeared? I am referring to Edward Rothschild who was working in the Government Printing Office, where he appeared to answer charges by the Communist party that he was guilty of "white chauvinism."

Mr. ZUCKER. I invoke the privilege of the Fifth Amendment.

The CHAIRMAN. Do you refuse to answer on the grounds that a truthful answer might tend to incriminate you?

Mr. ZUCKER. I invoke the privilege and refuse to answer.

The CHAIRMAN. Do you feel a truthful answer might tend to incriminate you?

Mr. ZUCKER. My answer is I invoke the Fifth Amendment and refuse to answer.

The CHAIRMAN. You refuse to answer the question of whether or not a truthful answer might tend to incriminate you?

Mr. ZUCKER. I again invoke the privilege of the Fifth Amendment.

The CHAIRMAN. You will be ordered to answer that question.

Mr. ZUCKER. I invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. Were you a bondsman for the Philadelphia Communist who recently—

Mr. ZUCKER. Same privilege, same answer.

The CHAIRMAN. You are again asked the question: Do you feel that a truthful answer might tend to incriminate you?

Mr. ZUCKER. Same privilege, same answer.

The CHAIRMAN. You refuse to answer whether or not you feel a truthful answer might tend to incriminate you?

Mr. ZUCKER. I again invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. Have the record show the witness was ordered to answer and refused to answer the question. Are you at this moment a member of the Communist party?

Mr. ZUCKER. I invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. Do you feel that a truthful answer as to whether or not you are a member of the Communist party today would tend to incriminate you?

Mr. ZUCKER. Same answer, same privilege.

The CHAIRMAN. Let the record show the witness was ordered to answer the question and again refused. Are you engaged in espionage as of today?

Mr. ZUCKER. That is a very stupid and provocative question and I demand that you withdraw the question.

The CHAIRMAN. You will answer the question unless you feel a truthful answer might tend to incriminate you.

Mr. ZUCKER. My answer is that anyone who dares to say I have worked against the interests of the American people and the United States in any way is a contemptible liar.

The CHAIRMAN. We are asking you the question. Are you engaged in espionage?

Mr. ZUCKER. The answer is "no."

The CHAIRMAN. Did you ever engage in espionage?

Mr. ZUCKER. The answer is "no."

The CHAIRMAN. Have you ever engaged in sabotage?

Mr. ZUCKER. The answer is "no."

The CHAIRMAN. Have you ever contributed money to the Communist party?

Mr. ZUCKER. I invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. Have you ever contributed money to any organization which is dedicated to the overthrow of this government by force and violence?

Mr. ZUCKER. The answer is "no."

The CHAIRMAN. Do you feel that the Communist party is dedicated to the overthrow of this government by force and violence?

Mr. ZUCKER. Senator, you are going into a field which is none of your business, but I will be glad to tell you my opinion.

The CHAIRMAN. I may say it is the business of the American people, very much so, and being the business of the American people, it is my business to bring it to their attention.

Mr. ZUCKER. I don't think it is the business of this committee. What was the question again?

The CHAIRMAN. The question is: Is it your opinion that the Communist party is dedicated to the overthrow of this government by force and violence?

Mr. ZUCKER. It is my opinion that the Communist party is not dedicated to the overthrow of this government by force and violence.

The CHAIRMAN. Is it your opinion that the policy of the Communist party is to secure the overthrow of this government, if they cannot do it by peaceful means then to do it by force and violence?

Mr. ZUCKER. I don't believe that opinions are within the purview of this committee and that you have any right to enter into discussion with me on opinions. If you desire to have a discussion with me on the question, I will be glad to discuss it with you outside this hall.

The CHAIRMAN. I am not interested in discussing matters with any members of the Communist party.

Mr. ZUCKER. Stick to your work, gentlemen, and ask questions that are pertinent.

The CHAIRMAN. You will be ordered to answer unless you feel a truthful answer might tend to incriminate you.

Mr. ZUCKER. What is the question again?

[The reporter read the question.]

Mr. ZUCKER. No.

The CHAIRMAN. Then you are ordered to answer the question as to whether or not you are a member of the Communist party today.

For the benefit of counsel, the privilege according to the Fifth Amendment, cannot be lightly taken. Under our present laws it is not a crime to be a member of the Communist party unless you know that that party is dedicated to or plans to overthrow this government by force and violence. This witness says that is not the situation. If he is telling the truth, then the Fifth Amendment does not protect him from perjury. If he is telling the truth, then he will be guilty of no crime in being a member of the Communist party. Therefore, he would not be entitled to invoke the Fifth Amendment insofar as the question of his being a Communist is concerned.

I am merely citing this so counsel will know the position of the chair.

Mr. Zucker, you are ordered to answer the question of whether or not you are a member of the Communist party as of this moment.

Mr. ZUCKER. I invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. The record will show that the witness was ordered to answer the question and refused to answer.

Do you feel that the Communist system of government as found in Russia today is superior to ours?

Mr. ZUCKER. That is a question of opinion and I, therefore, object to the question since you have no right to ask that under the First Amendment.

The CHAIRMAN. You may object but you will be ordered to answer unless you feel the answer will tend to incriminate you.

Mr. ZUCKER. I am in no position to give you an opinion of the Russian system of government since I haven't been there.

The CHAIRMAN. Well, let's take the Communist party, the form of government advocated by the Communist party. You are in position to answer that very well. Do you feel that is superior to our form of government?

Mr. ZUCKER. I am not prepared to discuss this question at this time.

The CHAIRMAN. You will be ordered to answer, unless your answer is that you don't know or that you feel the answer would tend to incriminate you.

Mr. ZUCKER. Senator, I don't quite understand the purpose and the reason for the general inquiry that I have been subpoenaed for. You are asking me some very complicated, elaborate, philosophical, economic questions that I will need time to prepare to discuss properly. I am, therefore, in no position to answer your question in a manner that would be suitable, in my opinion.

The CHAIRMAN. In other words, your answer, as of today, is that you would be unable to tell us whether you think the system of government advocated by the Communist party is superior to ours because you need additional time to think that over. Is that correct?

Mr. ZUCKER. I think my previous answer stands as it is.

The CHAIRMAN. Do you want additional time to think that over?

Mr. ZUCKER. The previous answer covers this question.

The CHAIRMAN. I am asking you: Do you want additional time to think that over?

Let the record show at this point that a majority of the full committee itself has approved in writing this investigation, both in executive session and public session.

After consulting with your counsel, Mr. Zucker, what is your answer?

Mr. ZUCKER. I am not quite finished. I am still consulting.

The CHAIRMAN. Let the record show that while the witness says he is consulting with counsel, he is not consulting with counsel but is merely sitting mute. You check the time he does this, Mr. O'Melia.

Mr. ZUCKER. The record will show that I am preparing carefully an answer of what I want to say. The witness is aware of the

entraping tactics of this committee and I am not going to be entrapped by the chairman.

The CHAIRMAN. The witness will have all the time he wants.

Mr. ZUCKER. My answer, Senator, is——

The CHAIRMAN. The question is: Do you want more time or do you refuse to answer it?

Mr. ZUCKER. My answer to this question is: I am not prepared to discuss the relevancy of this question with you. I have no desire to discuss this question in the future with you. I see no reason why I should discuss this question with you, since it is a matter of opinion.

The CHAIRMAN. I am not concerned with your desires. Do I understand your refusal to answer is on the grounds you do not desire to answer and you are not invoking the Fifth Amendment?

Mr. ZUCKER. I am not refusing to answer. I am not in a position to answer and discuss it with you.

The CHAIRMAN. Well, do you need additional time?

Mr. ZUCKER. Well, my answer to the question is that I don't care to discuss the question because I don't feel myself properly capable of discussing this question.

The CHAIRMAN. I wasn't asking you to discuss it. I asked you whether or not you feel the system of government advocated by the Communists is superior to our system? I shall insist you either answer the question, refuse to answer the question because a truthful answer might tend to incriminate you, or if you need more time to think it over, we will undoubtedly give you that time. Otherwise, you are ordered to answer.

Mr. ZUCKER. What do you specifically mean when you talk about the Communist system?

The CHAIRMAN. The Communist system as you understand it.

Mr. ZUCKER. Well, Senator, I have never seen the Communist system so I really don't know what you mean "as I understand the Communist system."

The CHAIRMAN. I mean the system advocated by the Communists.

Mr. ZUCKER. My answer has to be that that question is of such construction I find myself in no position to answer your question. I find myself incapable of answering the question.

The CHAIRMAN. You are incapable of answering whether you think the system advocated by the Communists is superior to our system of government? You are incapable of answering that?

Mr. ZUCKER. That is my answer.

The CHAIRMAN. You are going to get in bad with the Communist party if you aren't careful.

Do you consider Joe Stalin as a ruthless, bloody dictator?

Mr. ZUCKER. I object to this question because I do not consider it within the scope of this inquiry.

The CHAIRMAN. Well, one of the reasons why we asked that, we know that no loyal member of the Communist party—I am not saying you are—would say anything derogatory about Joe Stalin. We know you couldn't get a dispensation to say it if you were a member of the party.

We know the Communist party does give members permission to make certain statements under certain conditions that are not in

line with Communist policy. We know they do not give any of their members dispensation to make any vigorous criticism of Joe Stalin, so I am asking you the question. Do you consider Stalin a ruthless, bloody dictator?

Mr. ZUCKER. I claim the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. You are entitled to that privilege.

Do you think the war in Korea was the fault of the Communists?

Mr. ZUCKER. My answer to that, since this is a matter of opinion, I reserve that right under the First Amendment and also invoke my privilege under the Fifth.

The CHAIRMAN. You would not have the right under the First Amendment, but you have the right under the Fifth Amendment.

Have you known Esther Rothschild?

Mr. ZUCKER. My privilege—refusal to answer under the Fifth Amendment.

The CHAIRMAN. Do you refuse to answer on the ground that a truthful answer might tend to incriminate?

Mr. ZUCKER. I invoke the privilege and refuse to answer.

The CHAIRMAN. Do you feel a truthful answer might tend to incriminate you?

Mr. ZUCKER. My answer is, I invoke the privilege and refuse to answer.

The CHAIRMAN. You are ordered to answer.

Mr. ZUCKER. My answer is I invoke the privilege.

The CHAIRMAN. I believe you have already refused to answer whether you knew Edward Rothschild. Do you know Edward Rothschild? By Edward Rothschild I mean the Edward Rothschild working in the Government Printing Office and formerly lived on Dix Street?

Mr. ZUCKER. I invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. When have you last seen Esther or Edward Rothschild?

Mr. ZUCKER. Same privilege, same answer.

The CHAIRMAN. Have you talked to Esther Rothschild or Edward Rothschild within the last two weeks?

Mr. ZUCKER. Same privilege, same answer.

The CHAIRMAN. Do you feel if you tell us the truth as to whether you saw Esther or Edward Rothschild in the last two weeks, that answer might tend to incriminate you?

Mr. ZUCKER. My answer is that I invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. You are ordered to answer.

Mr. ZUCKER. My reply is I invoke the privilege and refuse to answer.

The CHAIRMAN. Do you know Frederick Sillers?

Mr. ZUCKER. I invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. Was Frederick Sillers a member of the Communist party with you?

Mr. ZUCKER. I invoke the privilege of the Fifth Amendment and refuse to answer.

The CHAIRMAN. Did you know Edward Rothschild as a member of the Communist party?

Mr. ZUCKER. Same privilege, same answer.

The CHAIRMAN. You will be ordered to consider yourself under subpoena in order to return here Monday morning at ten o'clock, room 318.

Mr. ZUCKER. Senator, would it be possible to arrange for another day?

The CHAIRMAN. For what reason?

Mr. ZUCKER. Well, I have some family problems I have to resolve on Monday and Tuesday.

The CHAIRMAN. Is your home here?

Mr. ZUCKER. No, I live in Philadelphia.

The CHAIRMAN. I would like to avoid unnecessarily inconveniencing any witness. I tell you what we can do counsel, we can do this. We won't need Mr. Zucker longer than Monday and we will let him go with the understanding that if we can possibly avoid having him back Tuesday, we will do so, but with the understanding that if we call you, he will be here Tuesday morning. We will have this understanding that we will call you and not Mr. Zucker. We have a situation where some of you fellows just aren't available.

Mr. ZUCKER. When I say I will be available, I will be available for you. I am asking for Wednesday. I find that much more convenient. If it is possible, that is what I would like.

[Off-the-record discussion.]

The CHAIRMAN. We always try to accommodate a witness, regardless of what we think of a witness. You will not have to be here Monday. The understanding is if we need you Tuesday, we will call your counsel's office.

**TESTIMONY OF HOWARD KOSS (ACCOMPANIED BY HIS  
COUNSEL, JOSEPH ROTWEIN)**

The CHAIRMAN. Mr. Koss, will you raise your right hand.

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KOSS. I do.

The CHAIRMAN. Would counsel identify himself?

Mr. ROTWEIN. Rotwein, Joseph, 1025 Vermont Avenue, Washington, D.C., Sterling 35764.

Senator, I understand this is executive session. It is my understanding that only members of the committee, senators and counsel are present—

The CHAIRMAN. It is your understanding I will have whoever I want in this room. You may sit down.

Mr. Koss, do you know Frederick Sillers?

Mr. KOSS. I respectfully decline to answer on the basis of the Fifth Amendment which gives me the privilege against self-incrimination.

The CHAIRMAN. Are you a member of the Communist party today?

Mr. KOSS. I respectfully decline to answer on the basis of the Fifth Amendment.

The CHAIRMAN. Have you ever worked for the United States government?

Mr. KOSS. Yes, sir. I have.

The CHAIRMAN. What jobs have you held with the government?

Mr. KOSS. It is a rather long history. I started as a clerk for the Census Bureau and worked there for about a year—from July of 1940 to approximately July of 1941—then I took a typing examination to get Civil Service status and became a clerk typist for about three or four months—from July until about November.

The CHAIRMAN. In what department?

Mr. KOSS. That was with the Coast Guard. I was there for about three or four months.

The CHAIRMAN. Were you handling any classified material?

Mr. KOSS. As far as I know, no classified material was involved.

The CHAIRMAN. Then from there where did you go?

Mr. KOSS. From there—I had taken some personnel courses and obtained a position as personnel classification analyst, Office of Emergency Management, in the Service Operations Department.

The CHAIRMAN. Who was your immediate supervisor?

Mr. KOSS. Mr. Cecil Goode.

The CHAIRMAN. At that time were you a member of the Communist party?

Mr. KOSS. I respectfully decline to answer on the basis of the Fifth Amendment.

The CHAIRMAN. Did Mr. Goode or anyone ever ask you whether you were a Communist?

Mr. KOSS. May I consult counsel?

The CHAIRMAN. Certainly anytime you want to.

Mr. KOSS. I respectfully decline to answer on the basis of the Fifth Amendment.

The CHAIRMAN. Do you feel that a truthful answer to that question might tend to incriminate you?

Mr. KOSS. Yes, I do.

The CHAIRMAN. Then you are entitled to refuse.

What is your home address?

Mr. KOSS. 3416 Highview Court, Wheaton, Maryland.

The CHAIRMAN. Where do you work now?

Mr. KOSS. Well, I am sort of an independent salesman. I sell for the Home Improvement Company and I sell oil, fuel oil, when I can for another company.

The CHAIRMAN. I think I interrupted you when you were citing your government employment. After the Office of Emergency Management, where did you go?

Mr. KOSS. From there I went to the army.

The CHAIRMAN. How long were you in the army?

Mr. KOSS. I was there from September 1942 to February 1943.

The CHAIRMAN. In what capacity?

Mr. KOSS. In the army, I went in as a private in the Quartermaster Corps. I went through basic training and applied for Officers Candidate School. I passed the various examinations but then they came to physical examination they discovered I had a heart murmur and I was irregular in my electrocardiogram. After subsequent examinations they put me in the hospital where I stayed about two months. The Medical Board decided to discharge me.

The CHAIRMAN. You were discharged on physical grounds?

Mr. KOSS. That is correct.

The CHAIRMAN. From there where did you go?

Mr. KOSS. When I came back I applied for my old position as classification analyst, Office of Emergency Management.

The CHAIRMAN. Did you get that back?

Mr. KOSS. Yes, I did.

The CHAIRMAN. How long did you continue to work in the government?

Mr. KOSS. I worked in the government until May of 1952, guess.

The CHAIRMAN. And what department were you working in at that time?

Mr. KOSS. The Veterans Administration.

The CHAIRMAN. And what other departments of the government did you work in?

Mr. KOSS. The War Manpower Commission, the Personnel Office, Department of Labor, the U.S. Employment Service as their classification analyst.

The CHAIRMAN. Did you work anyplace else in the government?

Mr. KOSS. I don't believe so, sir.

The CHAIRMAN. So that you worked in the government a total of twelve years, excluding a short period of time when you were in the army?

Mr. KOSS. I think so.

The CHAIRMAN. During that time were you a member of the Communist party?

Mr. KOSS. I respectfully decline to answer on the basis of the Fifth Amendment.

The CHAIRMAN. Is it your thought that the Communist party is dedicated to the overthrow of our form of government, if it cannot be accomplished by peaceful means, then they should resort to force and violence?

Mr. KOSS. I respectfully decline to answer that question on the basis of the Fifth Amendment.

The CHAIRMAN. Do you know Edward Rothschild?

Mr. KOSS. As far as I know, I don't know the name or the individual other than what I read in the papers in the last two or three days.

The CHAIRMAN. How about Esther Rothschild?

Mr. KOSS. Same answer.

The CHAIRMAN. In other words, you don't recognize that name?

Mr. KOSS. I do not.

The CHAIRMAN. How about Mary Stalcup, now Mrs. Markward?

Mr. KOSS. My only knowledge is based on newspaper reports. I do not know her nor have I ever seen her other than pictures in the paper. I am not sure of that even.

The CHAIRMAN. Then to the best of your knowledge, you never attended any Communist meetings with the Rothschilds or Mary Stalcup, but unless you saw them and looked them over you couldn't say positively. Is that the answer?

Mr. KOSS. I previously stated that I never met or knew those particular people.

The CHAIRMAN. You say you never met them?

Mr. KOSS. As far as I know I never met them and I don't believe I would recognize them.

The CHAIRMAN. But unless we brought them in for you to see personally, you couldn't tell us positively?

Mr. KOSS. As far as I know, I think I could positively say I never met them.

The CHAIRMAN. How about Frederick Sillers?

Mr. KOSS. I respectfully decline to answer—

The CHAIRMAN. How about Charlotte Sillers?

Mr. KOSS. I respectfully decline to answer—

The CHAIRMAN. Gertrude Evans?

Mr. KOSS. I respectfully decline to answer on the basis of the Fifth Amendment.

The CHAIRMAN. Did you ever attend any Communist party meetings with Charlotte Sillers or Gertrude Evans?

Mr. KOSS. I respectfully decline to answer on the basis of the Fifth Amendment.

The CHAIRMAN. I think I asked you if you ever attended any Communist party meetings with Frederick Sillers?

Mr. KOSS. I respectfully decline to answer on the basis of the Fifth Amendment.

#### TESTIMONY OF ISADORE KORNFIELD

The CHAIRMAN. Will you raise your right hand?

In the matter now in hearing, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KORNFIELD. Yes, sir.

Mr. COHN. Mr. Kornfield, are you employed at the Government Printing Office?

Mr. KORNFIELD. Yes, sir.

Mr. COHN. For how long a period of time have you worked there?

Mr. KORNFIELD. In October it will be twenty-four years.

Mr. COHN. What do you do?

Mr. KORNFIELD. Proofreader.

Mr. COHN. And do you proofread documents printing over there?

Mr. KORNFIELD. Various things.

Mr. COHN. Have you ever proofread any restricted matter, matter not public?

Mr. KORNFIELD. I believe I proofread something marked restricted.

Mr. COHN. Did you ever read anything confidential or secret?

You never read anything marked secret?

Mr. KORNFIELD. I read something marked restricted.

The CHAIRMAN. How about confidential?

Mr. KORNFIELD. Perhaps I did.

The CHAIRMAN. Before your loyalty hearing did you have complete access to secret, top secret, confidential and restricted?

Mr. KORNFIELD. I don't think so.

The CHAIRMAN. When you proofread, do you proofread the galley proofs?

Mr. KORNFIELD. Yes.

The CHAIRMAN. Would you describe how that is done. Do you proofread the entire document?

Mr. KORNFELD. We usually get one proof at the time and one reads the copy to the proofreader.

The CHAIRMAN. And when you had access to the restricted material would you then read the entire document?

Mr. KORNFELD. Never, never more than one proof at a time.

The CHAIRMAN. By one proof what do you mean?

Mr. KORNFELD. One page. It is handed out one at the time. You go up to the desk and they hand you a proof. This is all you get. When you return it, you get another. It may not be connected.

The CHAIRMAN. When you say galley, you mean one full page of galley?

Mr. KORNFELD. It may consist of one page. Some are fairly short and some are fairly long.

The CHAIRMAN. There was no attempt to split it up so one man could not get the continuity.

Mr. KORNFELD. I never got the continuity. They seem to have a policy so you couldn't get the continuity.

The CHAIRMAN. You would read a full page?

Mr. KORNFELD. Sometimes.

The CHAIRMAN. Did you ever read a full document?

Mr. KORNFELD. Never.

The CHAIRMAN. What if the documents were only one page long?

Mr. KORNFELD. I suppose that would be possible.

The CHAIRMAN. You have been proofreading twenty-four years. Did you ever have any documents one page long?

Mr. KORNFELD. Frankly, I don't recall if I had full documents one page long.

The CHAIRMAN. You don't know of any attempt to keep you from secret material?

Mr. KORNFELD. Well, they have not been giving me secret material as far as I know.

The CHAIRMAN. You are working in the plant where secret material is handled?

Mr. KORNFELD. I really don't know.

The CHAIRMAN. You don't know whether you handled secret material?

Mr. KORNFELD. I have no idea at all. It would be guess work.

The CHAIRMAN. You mean you have worked there for twenty-four years and don't know whether you have handled secret material?

Mr. KORNFELD. It would be guess work. I have never seen any proof.

The CHAIRMAN. Can I tell you that the head of the plant tells me that they produced roughly 250,000 pieces of secret material last year and your testimony is that you never saw any of it?

Mr. KORNFELD. I never saw any of it marked secret.

The CHAIRMAN. Did you ever see any marked restricted?

Mr. KORNFELD. Yes, sir.

The CHAIRMAN. Do you know how it was stamped? Did they stamp it secret, top secret, confidential or merely stamp it restricted?

Mr. KORNFELD. All I know was it was stamped on the copy.

The CHAIRMAN. Have you ever been a member of the Communist party?

Mr. KORNFELD. No, sir.

The CHAIRMAN. May I tell you for your own protection so there can be no claim of entrapment, we have the number of your Communist party card. The bureau has that. We have that. Now, just so you will have that information so you can't claim in the future that you were entrapped, I now ask you again: Were you a member of the Communist party?

Mr. KORNFELD. No, sir.

The CHAIRMAN. You never were?

Mr. KORNFELD. No, sir.

The CHAIRMAN. Did you ever attend Communist party meetings?

Mr. KORNFELD. No, sir.

The CHAIRMAN. The answer is "no"?

Mr. KORNFELD. No, sir.

The CHAIRMAN. Were you ever solicited to join the Communist party?

Mr. KORNFELD. No, sir.

The CHAIRMAN. Was a card in the Communist party ever issued to you?

Mr. KORNFELD. No, sir.

The CHAIRMAN. Did you ever pay any money to the Communist party or any branch of it?

Mr. KORNFELD. No, sir.

The CHAIRMAN. Do you know any members of the Communist party personally?

Mr. KORNFELD. I don't know any people who have admitted to me they were members of the Communist party.

The CHAIRMAN. Do you know anyone in the GPO whom you suspect of being a Communist?

Mr. KORNFELD. Well, I don't think so.

The CHAIRMAN. You don't think so? Either you do suspect of them or you don't?

Mr. KORNFELD. I don't suspect anyone.

The CHAIRMAN. Do you know anyone over there whom you have reason to believe might be a Communist?

Mr. KORNFELD. Except what I read in the papers, I don't know of any.

The CHAIRMAN. Do you have any reason to believe anyone has removed any classified material from the GPO; that is illegal removal?

Mr. KORNFELD. I have no such knowledge.

The CHAIRMAN. Did you ever remove any classified material from GPO?

Mr. KORNFELD. No, never.

Mr. COHN. Did you ever belong to a Communist study group?

Mr. KORNFELD. No, sir.

Mr. COHN. You never have?

Mr. KORNFELD. No, sir.

Mr. COHN. Did you ever attend any meetings of a Communist study group or Communist discussion group?

Mr. KORNFELD. No.

The CHAIRMAN. I will have to ask you to speak louder, and again for your information and so you cannot claim later you were entrapped, we have the sworn testimony that you attended Com-

munist study groups. I am just telling you that in all fairness and so you will know what the testimony is.

Mr. COHN. You know Edward Rothschild, don't you?

Mr. KORNFIELD. I know him from——

Mr. COHN. Have you ever been to his home?

Mr. KORNFIELD. No.

Mr. COHN. You have never been to his home on Dix Street?

Mr. KORNFIELD. No.

Mr. COHN. Do you know Mrs. Rothschild?

Mr. KORNFIELD. No.

Mr. COHN. Esther Rothschild?

Mr. KORNFIELD. No.

Mr. COHN. You have never met Mrs. Rothschild?

Mr. KORNFIELD. No, sir.

Mr. COHN. Do you know Fred Sillers?

Mr. KORNFIELD. No, sir.

Mr. COHN. You never met him?

Mr. KORNFIELD. No, sir.

Mr. COHN. Charlotte Young who married Fred Sillers?

Mr. KORNFIELD. No, sir.

Mr. COHN. Jim Phillips?

Mr. KORNFIELD. No, sir.

Mr. COHN. Irving Studenberg?

Mr. KORNFIELD. I remember Irving Studenberg when he was an apprentice and detailed in the proof room.

Mr. COHN. Did you ever attend any meeting with Irving Studenberg?

Mr. KORNFIELD. No, sir.

Mr. COHN. You never did?

Mr. KORNFIELD. No, sir.

Mr. COHN. No meetings whatsoever of any kind?

Mr. KORNFIELD. No, sir.

Mr. COHN. Jimmy Branket?

Mr. KORNFIELD. No, sir.

Mr. COHN. Sadie Sokoloc?

Mr. KORNFIELD. No, sir.

Mr. COHN. Have you ever read the *Daily Worker*?

Mr. KORNFIELD. I have never read it. I have seen it.

Mr. COHN. Where have you seen it?

Mr. KORNFIELD. Newsstands.

Mr. COHN. But you never bought a copy?

Mr. Kornfield. No, sir.

The CHAIRMAN. Roy, I am going to have to adjourn now. You are excused until Monday morning at ten o'clock unless you care to come in in the meantime and give us the truth.

[Whereupon the hearing adjourned at twelve o'clock noon.]

## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—Cleta Guess (1893–1974) did not testify in public. At the public hearing on August 19, Senator McCarthy announced that “Her doctor said she has a heart condition which might be such that appearance in a public session and the excitement would do her considerable damage, and for that reason we will read into the record her testimony taken at the executive session.” An edited version of this transcript was included in the published hearings for that day.

James E. Duggan of the Printing Security Section and Adolphus Nichols Spence (1926–2000), director of the Publications Division for the U.S. Navy, both testified in public session on August 17, 1953.]

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**SATURDAY, AUGUST 15, 1953**

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 1:30 p.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, Republican, Wisconsin, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Richard O'Melia, general counsel, Committee on Government Operations; Harold E. Rainville, administrative assistant to Senator Dirksen; Robert L. Jones, public relations for Senator Potter; Ruth Young Watt, chief clerk.

### TESTIMONY OF CLETA GUESS

The CHAIRMAN. Miss Guess, will you stand and raise your right hand, please? In the matter now in hearing do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Miss GUESS. I do.

The CHAIRMAN. I think we will let Mr. Cohn do the questioning. He knows more about the situation.

Miss GUESS. Yes.

Mr. COHN. What is your full name?

Miss GUESS. Cleta Guess.

Mr. COHN. Do you reside in New Orleans?

Miss GUESS. 6018 Constance Street, 14th Ward. Best ward in the State of Louisiana.

Mr. COHN. In response to the request of the committee you came to Washington from New Orleans?

Miss GUESS. I came from New Orleans, and freely.

Mr. COHN. Was there a time when you worked for the Government Printing Office?

Miss GUESS. Yes. I worked from February 1941 until either the later part of July or the first part of August 1943. Exactly ten years ago I arrived in New Orleans.

Mr. COHN. And since you have been in New Orleans you have been running and operating your own store?

Miss GUESS. Yes, I have.

Mr. COHN. Miss Guess, when you worked at the Government Printing Office, did you know Eddie Rothschild?

Miss GUESS. I did and I love him dearly and still love him dearly. He was a very intimate friend.

Mr. COHN. And you worked right along beside him?

Miss GUESS. I was his first assistant chosen to work with him.

Mr. COHN. For how long a period of time?

Miss GUESS. I think a couple of months; maybe a little bit longer.

Mr. COHN. Did there ever come a time when Mr. Rothschild said anything to you which led you to believe he had Communist sympathies?

Miss GUESS. Yes, sir. I had attended the Union of Women Bookbinders the night before. The next day we went to work. Knowing Eddie was a very good union worker, I think he was a loyal union man, held office in his union, the men's union, I said to him, "Last night it was brought up at the meeting that 600 Communists belonged to the CIO. You know," I said, "there must be plenty of Communists in the CIO." He said, "What is wrong with Communists?" He got angry. I said, "They are organized to overthrow this government." He pounded his fist and said, "If anybody says the Communists are organized to overthrow the United States government, it is a damn lie." I said, "Well, our government says they are organized to overthrow our government." He didn't say anything to that. He said, "If you don't like Communists, don't speak to me about anything but our work."

It wasn't long, a few weeks after that, that Mr. Wright came to me one night and put me over in the full room on the other side of the building with a wall between us, and I couldn't see Eddie. It finally wound up that he put me on the third floor, although I belonged on the fourth.

Mr. COHN. Did you ever see Eddie with the *Daily Worker*?

Miss GUESS. Yes. I saw him two or three different times waiting for the boys to get off on the second floor. He would sit behind the big machine reading the *Daily Worker*. If he would see Mr. Riley or anyone coming, he would fold it up and put it in his left back pocket. What amused me one night, you could see part of the name sticking out. I was laughing up my sleeve.

Mr. COHN. Let me ask you this. Were you and Eddie Rothschild working on any confidential work for the government?

Miss GUESS. Yes, we used to work on quite a bit confidential and restricted matter but I don't remember the word secret. If we did that, I don't remember.

There was pocket manuals and some of it was reports from our intelligence departments in regards to Russia, Germany, Japan, and even some of them in regard to our own allies.

Mr. COHN. Was there any aircraft information?

Miss GUESS. Yes. There was one particular book that had a diagram in it that Eddie was interested in. They had the speed the

airplane could make per hour. Eddie was very much interested. That night he said—

Mr. COHN. Did he look at this?

Miss GUESS. He remarked about it, and then I don't know.

I would like to say something.

Mr. COHN. Go ahead.

Miss GUESS. So this particular night he takes that book and he shows those young colored boys and young boys. He said to them and naturally they picked up the book and was looking at them. He said, "This is fairly interesting" and he took this book home. He told the boys they could have one too. He said, "I am going to take it home and read it." Of course, I never saw anybody go outside with any of this matter.

Mr. COHN. Did you ever see him take any of this matter himself?

Miss GUESS. I saw him a few times put a book in his right-pocket. He used to keep the *Daily Worker* in his left-pocket. Most of the time he would put this book he wanted to take home on the back table. I think the reason for it was so none of the bosses would see the book in his pocket.

Mr. COHN. Were these confidential or restricted?

Miss GUESS. I couldn't say for sure, but I think so. You know it was so many years ago I can't remember every detail.

Mr. COHN. Do you recall that some of this matter he put in his pocket or put aside and said he was going to take with him—

Miss GUESS. Well, it was pertaining to military stuff. I mean like airplanes and different things pertaining to war. Military things.

Mr. COHN. Did you ever see him in possession of any things like that which he was not working on—which came from some place else?

Miss GUESS. Yes. I saw him reading a long, thin book, which I gave to Mr. Phillips of the FBI. I took one myself. I took several things. About a month or two after I reported it to the FBI. I took some things home to show the FBI. I could take it out too. They never look in your purse, or you could carry it down your bosom, or pin anything to your dress. They never look in your purse. As long as you had identification, you could take anything you wanted, you never take a piece of wrapping paper, but you can take anything else out.

Mr. COHN. Did you ever see him with any documents which he wasn't working on?

Miss GUESS. Oh, this secret code for the U.S. Merchant Marines. At that time there was a convoy—I had a cousin in a convoy. He was going to Russia with the provision and coincidentally, I was thinking last night, his wife slept in the Dodge Hotel while waiting for him to come visit her from Baltimore when he was getting ready to leave with that convoy to Russia, and I thought about my cousin, Johnny Blow. I said, "Now, if the enemy would get that information"—it was a secret code for the U.S. Merchant Marines—and I thought, "Poor Johnny might be blown up himself on his way to Russia by Eddie or someone by books getting into the wrong hands."

He wasn't working on it.

Mr. COHN. You think he must have gotten it some place else?

Miss GUESS. I know his machine wasn't working on it. I would love to go to the GPO and show you how the machines are placed.

Mr. COHN. Where do you think he got this code?

Miss GUESS. He picked it up. I know what machine he picked it up from. It was a time machine. I used to work on it.

Mr. COHN. Would he have the right to walk around?

Miss GUESS. Well, we wasn't allowed to go from department to department, but Eddie seemed like he was very truest employee and Eddie was very experienced on different machines and there was one machine on the second floor that only a few people could operate and that he could operate and other people couldn't operate very well, so they would send Eddie up. Sometimes they would send me with Eddie.

Mr. COHN. Could he walk around and pick up anything he wanted?

Miss GUESS. I wouldn't say he did that very freely. He did do it. Any of us could do it. No one searched our purses. No one searched our person, as long as we had our badges. He wasn't allowed to carry packages—

Mr. COHN. When you saw Rothschild taking these documents and when you saw him reading the *Daily Worker* and said those things about Communists, did you report this to anyone?

Miss GUESS. Yes, I went to Mr. Riley first one night. It was a little while after Eddie and I had the argument.

We were always friendly and always spoke, so Mr. Riley was very busy and he looked at me and said, "Cleta, what is it?" I said, "Mr. Riley, I want to see you before the night is over." Mr. Riley and I were very chummy, very close, very confidential. He used to tell me a lot of things he didn't tell everybody, so Mr. Riley looked at me, an approving look, and I said, "Mr. Riley, before the night is over, please come to see me. I want to talk to you." He had lots of young girls in there, and I didn't want to talk in front of them. I was afraid the girls would spread it. Mr. Riley never did come. I waited two nights. I think it was morning. I worked from twelve o'clock that night to eight o'clock the following morning. When I got off at eight o'clock I was boiling hot. All night I was hot enough to fight the president of the United States and everybody else connected with the United States, so then I went to the FBI and I reported it and they sent two young men to my apartment. Mr. Phillips, a very lovely young man—then a young man, Mr. Campbell, came to see me about the same thing in New Orleans. He wrote out a written statement and I signed it.

Mr. COHN. We don't want to ask you what you told the FBI, but you did give them the full truth?

Miss GUESS. No, my story is the same practically. Every time I have repeated it to anyone of authority it has always been the same to the best of my knowledge.

Mr. COHN. Because it has been true?

Miss GUESS. That is right.

Mr. COHN. Now, there was this loyalty board hearing about Rothschild in 1948. Did they ever ask you to come down?

Miss GUESS. No.

Mr. COHN. If they had asked you to come down—

Miss GUESS. I would have gladly come, even if I had to pay the expenses myself, which I could not have, and I came willingly this time, through my little friend, Mr. LaVenia.

Mr. COHN. Let me ask you one other question. From working with Eddie Rothschild, were you convinced that he was a Communist?

Miss GUESS. I was pretty well convinced because it was kind of common knowledge to a good many people that had been working with him. Well, it was a very common news, just like I know what you are doing. There is one person in particular who told me—one lady told me after I was put in the full room to get away from Eddie, I think was the reason. I think he had me taken away. I told her because I knew she was a loyal government employee, and I thought she was a loyal American. I don't think the president of the United States could have taken over her job. I think her husband was killed serving in a government job. I said, "Miss Nelly," and I told her what happened between Eddie and I. She said, "Well, that is all right because everybody around here knows Eddie is a Communist. That is why no girls would work with him. That is why he asked you. You are older and friendly and full of wit and he thought he could get along with you. When he found out you didn't believe the way he did, he didn't want you either." That is what they do in a lot of government agencies as I found out in the Civil Service office of the government in Washington. If you finally make a complaint they will transfer you or send you around eventually and in a few years time get you out of the government agency. They don't want you to find fault or report people for things they shouldn't do. As God is my judge, it goes on in the Civil Service Commission in Washington, D.C., and I have had friends in other government agencies who told me the same thing.

The CHAIRMAN. I may say that a number of other people have reported Communist activities in agencies and they get transferred to other jobs and finally kicked out. I may say we agree with you wholeheartedly.

Incidentally, is that Miss or Mrs.?

Miss GUESS. Miss. I am an old maid. That's what I am, an old maid. Nobody is going to tell me what to do or make me do something I don't think is right. I just don't do it.

The CHAIRMAN. I want to thank you very much for coming down here. I know it is a considerable sacrifice to you. We want you to testify Monday. I think it might be better if you stay in town.

Miss GUESS. I would like to because I could use a little rest.

**TESTIMONY OF JAMES E. DUGGAN, HEAD,  
PRINTING SECURITY SECTION PUBLICATIONS DIVISION,  
DEPARTMENT OF THE NAVY; AND  
ADOLPHUS NICHOLS SPENCE, DIRECTOR OF PUBLICATIONS,  
DEPARTMENT OF THE NAVY**

The CHAIRMAN. Would you gentlemen raise your right hand, please?

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DUGGAN and Mr. SPENCE. I do.

The CHAIRMAN. You are both with the Navy Department?

Mr. DUGGAN. That is correct.

The CHAIRMAN. May I say I dislike very much imposing on you gentlemen, but we had to clear up a couple of things.

Mr. COHN. What we want to ask you gentlemen, you are familiar with the work the Navy Department sends to Government Printing Office?

Mr. SPENCE. Yes.

Mr. COHN. Does some of that work include material dealing with Atomic Energy?

Mr. SPENCE. Well, it touched on it, yes, sir.

Mr. COHN. When was that?

Mr. SPENCE. Within the past fiscal year.

Mr. COHN. About how much?

Mr. SPENCE. Well, four jobs in all.

Mr. COHN. How were they classified?

Mr. SPENCE. May I refer to this?

Confidential.

The CHAIRMAN. May I say that conflicts somewhat with information we got from the Government Printing Office.

Mr. SPENCE. The first two were confidential and the second two were secret.

Mr. COHN. Did other work contain anything dealing with Atomic Energy?

Mr. SPENCE. It touched on it.

Mr. COHN. Was the information touched on—was that information obtained from the Atomic Energy Commission originally?

Mr. SPENCE. No, sir. That was obtained within the Navy Department.

Mr. COHN. Concerning Atomic Energy. Is that right?

Mr. SPENCE. Yes, sir.

The CHAIRMAN. The classification of secret would indicate that if the enemy or any potential enemy got that information it could do damage to this country?

Mr. SPENCE. That is correct, sir.

The CHAIRMAN. And that had to do with Atomic Energy rather than the H-bomb? Is that right?

Mr. SPENCE. Very definitely, sir.

The CHAIRMAN. Have you sent anything over that had to do with the H-bomb or H-energy?

Mr. SPENCE. No, sir.

The CHAIRMAN. If anything to do with the H-bomb was sent over, that would be from the Atomic Energy Commission itself?

Mr. SPENCE. Yes, sir. We would not send that material out.

The CHAIRMAN. Let me ask you this. There has been considerable confusion in some of the customers of GPO, if you can call them that, using a broad phrase. I get the impression from talking to army, navy and air force that they have had the impression that secret and top secret material sent to GPO, any secret material was handled in the so-called State building. From the officials of GPO I find, however, that the classification had nothing to do with the assignment of the material. As one of the officials said, "If we had ten top secret documents we would not assign them to the State building or general office on the basis of secrecy. The assign-

ment would be based upon the type of job, the speed required to be gotten out, machines required to get it out."

In other words, as I understand it, when you would send material to GPO, you would have no way of knowing whether it finally ended up in the so-called State building or the general GPO office.

Mr. SPENCE. Well, sir, in the case of top secret that wouldn't apply to navy. We do not permit that to be printed outside of the navy. In the case of secret we are assured only by the public printer that it is produced properly, handled properly and produced by the public printer, in accordance with the navy's regulations for the handling of such matter, confidential and restricted likewise.

The CHAIRMAN. In other words, you have the assurance of GPO when you send secret material to them that it will be properly handled with safeguard security and you yourself do not take it upon yourself to follow through the procedure of where it is being printed.

Mr. SPENCE. No, sir. There was an agreement reached by the provost marshal of the navy and security officer of the public printer.

Mr. COHN. Who is that security officer?

Mr. SPENCE. He is the deputy public printer. I think it was Mr. Underwood.

The CHAIRMAN. Let me ask you this. If a Communist were to have gotten access to the secret material which the navy—if a Communist were working in the GPO office, an undercover Communist, someone not known to the security office as a Communist, and if he had access to and were to have removed the secret material the Navy Department sent over—by removing I mean physically removing documents or memorizing the contents and transmitting it to a potential enemy, that would constitute an extremely dangerous situation, wouldn't it?

Mr. SPENCE. You are correct, sir.

The CHAIRMAN. Is it correct to say that secret material would not be available to Congress or members of the Senate, that the classification would be such that you couldn't give it to a congressman except under subpoena with orders from the president?

Mr. SPENCE. If it were legitimate committee business, it would be made available as a normal routine.

The CHAIRMAN. But if a congressman only wanted it, he would not be entitled to see it? I merely mentioned that to make the record clear as to the importance of your security regulations.

Mr. SPENCE. That is correct.

The CHAIRMAN. On the basis of need to know rather than the position of the individual concerned.

Would you care to give us a rough picture as to the differences between the classification of confidential, secret and top secret, or could you gentlemen do that?

Mr. SPENCE. Essentially, sir, we have the definition spelled out in detail.

Here it is, do you want to see it or would you want it incorporated in the record?

The CHAIRMAN. Let me ask you this: There will be no violation of security to have it in the public record?

Mr. SPENCE. The publication as a whole is restricted; but not that particular passage from it.

The CHAIRMAN. That will be incorporated into the record.  
[Exhibit 1]

#### CHAPTER 3—CLASSIFICATION CATEGORIES

##### 0301. Categories.

The security classification categories in current use are Top Secret, Secret, Confidential, and Restricted. They are defined in this chapter. The examples, which appear under the various security classification definitions, are for guidance and do not cover all possible situations and items. The content or merit of specific matter is the test for classification. For purposes of this Manual, the words “matter,” “material,” and “information” as used in connection with classification shall be considered as synonymous. In the interest of preserving the integrity of the security classifications “Top Secret,” “Secret,” “Confidential” and “Restricted,” these terms shall not be used for the purpose of safeguarding information other than in the interest of national security. When it has been determined that information requires classification in the interest of national security, it will be specifically identified at least once on each page or item so classified by the words “Security Information” in addition to the marking of the appropriate classification. (Refer to Article 0420)

##### 0302. Definition of Top Secret.

1. Information and material (matter), the security aspect of which is paramount, and the unauthorized disclosure of which would cause exceptionally grave damage to the nation shall be classified Top Secret.

2. The Top Secret category is reserved for information which in and of itself, if disclosed without authorization, would reasonably be expected to lead ultimately to one or more of the following results:

a. Initiation of war against the United States by a foreign government as a counter-measure against plans or intentions disclosed.

b. Defeat of planned operations of war of the United States, if launched.

c. Loss by the United States of a scientific or technical advantage of sufficient military importance as to affect materially the course or outcome of a war or major operation.

3. Subject to the policy and conditions proscribed in 1 and 2 above, the following items of military information (matter) will be graded Top Secret:

a. War plans and plans or particulars of future major or special operations of war and particulars of important dispositions of our forces related directly thereto.

b. Intelligence documents (and information therein) which reveal a major intelligence effort on the part of the United States and which would permit an evaluation by unauthorized recipients of the success obtained by, or the capabilities of, our intelligence services.

c. Critical information of radically new and extremely important equipment or other munitions of war.

d. Information (matter) of the nature described in 1 above, which, while primarily political and/or economic, contains implications of a stature comparable to 3a, 3b, and 3c above.

##### 0303. Definition of Secret.

1. Information and material (matter), the unauthorized disclosure of which would endanger national security, cause serious injury to the interests or prestige of the nation, or would be of great advantage to a foreign nation shall be classified Secret.

2. The following are some examples of matter which normally shall be classified Secret:

a. Particulars of operations in progress.

b. Plans or particulars of operations, or war plans with necessary enclosures thereto, not included under Top Secret.

c. Instructions regarding the employment of important new munitions of war, including scientific and technical developments.

d. Important improvements to existing munitions of war until accepted for service use including scientific and technical developments.

e. Information relating to new material (matter) including material (matter) of the type described in 1 above.

f. Information of the type described in 1 above concerning specific quantities of war reserves.

g. Development projects of the type described in 1 above.

h. Information of enemy or potential enemy material or other material, procedure, dispositions and activities, the value of which depends upon concealing the fact that we possess it.

i. Reports of operations containing information of vital interest to the enemy.

j. Vital military information on important defenses.

k. Adverse reports on general morale affecting major operations.

l. Communication intelligence information and important communication security devices and material of the type described in 1 above.

m. Certain new or specialized techniques or methods to be used in future operations. The identity and composition of units, wherever located, which are especially intended for employment of such techniques or methods.

n. Information indicating the strength of our troops, air and naval forces, identity or composition of units or quantity of specific items of equipment pertaining thereto in active theaters of operation, except that mailing addresses will include organizational designations.

o. Photographs, negatives, photostats, diagrams, or models of Secret matter.

p. Certain compilations of data or items which individually may be classified Confidential or lower when the aggregate of the information warrants the higher classification.

#### 0304. Definition of Confidential.

1. Information and material (matter), the unauthorized disclosure of which would be prejudicial to the interests or prestige of the nation or be of advantage to a foreign nation shall be classified Confidential.

2. The following are some examples of matter which normally shall be classified Confidential:

a. Matters, investigations, and documents of a counter intelligence nature, or the disclosure of which would adversely affect morale.

b. Routine operational and battle reports which contain information of value to the enemy that are not of vital interest to him.

c. Routine intelligence reports.

d. Military radio frequency allocations of special significance, or those which are changed at frequent intervals for security reasons.

e. Military call sign assignments of special significance which are changed at frequent intervals for security reasons.

f. Information which indicates strength of our troops, air and naval forces, identity or composition of units, or quantity of specific items of equipment pertaining thereto in areas adjacent to active theaters of operation.

g. Technical documents and manuals of the type described in 1 above used for training, maintenance, and inspection of important new munitions of war.

h. General tactical lessons learned as a result of operations which it is desirable to withhold from any foreign nation.

i. Information relating to the design and development of new material or other material of the type described in 1 above.

j. Communications intelligence information, security publications and security devices and material of the type described in 1 above.

k. Technical information of the type described in 1 above, such as of research or processes of manufacture which may be a distinct military asset and not a matter of general knowledge.

l. Information and records compiled at the request of any agency of the Department of Defense for its use in the assurance of adequate provision for the mobilization of industrial organizations essential to wartime needs.

m. Information of the type described in 1 above relative to specific quantities of war reserves.

n. Photographs, negatives, photostats, diagrams, or models of Confidential matter.

o. Certain compilations of data or items which may individually be classified Restricted or be unclassified when the aggregate of the information contained warrants the higher classification.

#### 0305. Definition of Restricted.

1. Information and material (matter) which requires security protection other than that determined to be Top Secret, Secret, or Confidential, shall be classified Restricted. The term "Restricted" as used herein is not to be confused with the term "Restricted Data" as defined in the Atomic Energy Act of 1946.

2. The following are some examples of matter which normally shall be classified Restricted.

a. Information indicating the strength of our troops, air and naval forces, identity or composition of units, or the total quantity of specific items or equipment pertaining thereto in areas remote from active theaters of operations.

- b. Training and technical documents which, because of their contents, warrant security protection.
- c. Photographs, negatives, photostats, diagrams, or models of Restricted matter.
- d. Parts of mobilization plans and regulations of the type described in 1 above.
- e. Documents relating to the design and development of new material or other material of the type described in 1 above.
- f. Procurement plans of the type described in 1 above.
- g. Communication security devices and material of the type described in 1 above.
- h. Certain documents regarding engineering principles and design, details, composition, method of processing or assembling, which are vital to the functioning or use of an article of material.
- i. Certain compilations of data on items which may individually be unclassified when the aggregate of the information contained warrants a classification.
- j. Matters, investigations, and documents of the type described in the definition of "Restricted" and the disclosure of which would adversely affect moral.
- k. Compilations of permanently assigned call signs or allocations of frequencies that are individually unclassified.

0306. Definition of Restricted Data.

1. The term "Restricted Data" as defined in Section 10 of Public Law 585, 79th Congress, means all data concerning the manufacture or utilization of atomic weapons, the production of fissionable material, or the use of fissionable material in the production of power, but shall not include any data which the Commission from time to time determines may be published without adversely affecting the common defense and security. The phrase "Restricted Data" shall not be confused with the security classification category "Restricted."

0307. Category Marking.

- 1. Classification categories and Restricted Data markings shall be shown in capital letters if used as a stamp or special marking on matter. (Refer to Article 0422.)
- 2. When the words Top Secret, Secret, Confidential, and Restricted are used in the body of correspondence or publications to denote a classification category, they shall be written with initial letters in capitals.
- 3. The words "Restricted Data" shall be written with initial letters in capitals if used in the body of correspondence to refer to Atomic Energy matter.

[Whereupon, the hearing adjourned at 4:30 p.m.]

## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—Neither Roy Hudson Wells, Jr. (1907–1990), nor Phillip Fisher testified in public.]

TUESDAY, AUGUST 18, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 11:15 a.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; G. David Schine, chief consultant; Robert L. Jones, public relations for Senator Potter; Herbert S. Hawkins, investigator; Ruth Young Watt, chief clerk.

### TESTIMONY OF ROY HUDSON WELLS, JR.

The CHAIRMAN. In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WELLS. I do.

Mr. COHN. Give us your full name?

Mr. WELLS. Roy Hudson Wells, Jr.

Mr. COHN. Where do you reside Mr. Wells?

Mr. WELLS. 8219 Beltsville, Forestville, Maryland.

Mr. COHN. What is your occupation?

Mr. WELLS. Painter. Contract painter.

Mr. COHN. Have you ever worked for the government?

Mr. WELLS. Yes, I did.

Mr. COHN. In what capacity?

Mr. WELLS. I was an enumerator for the Farm Security Administration.

Mr. COHN. When was that?

Mr. WELLS. I think it was in 1939.

Mr. COHN. How long were you with the Farm Security Administration?

Mr. WELLS. About a month.

Mr. COHN. Any other government employment?

Mr. WELLS. WPA.

Mr. COHN. For how long?

Mr. WELLS. Oh, about six weeks, I think. There was nothing definite about that at all.

Mr. COHN. Anything else?

Mr. WELLS. No other government service.

Mr. COHN. Were you a member of the Communist party when you were working for the Farm Security Administration or the WPA?

Mr. WELLS. I refuse to answer under the Fifth Amendment, which gives me the right not to be a witness against myself.

Mr. COHN. Are you a member of the Communist party today?

Mr. WELLS. I refuse to answer for the same reason.

Mr. COHN. Do you know Edward Rothschild?

Mr. WELLS. Not to my knowledge.

Mr. COHN. Did you ever live on Dix Street?

Mr. WELLS. Yes.

Mr. COHN. Did you ever attend Communist party meetings at the Rothschild home on Dix Street?

Mr. WELLS. I don't know Mr. Rothschild and as far as I know I never attended any meetings with him.

Mr. COHN. You never attended any meetings with him?

Mr. WELLS. I am not quite sure of that. Not that I remember.

Mr. COHN. Did you ever know of a Mr. Rothschild in the Communist party?

Mr. WELLS. I don't recall his name at all.

Mr. COHN. How about Fred Sillers?

The CHAIRMAN. Let me ask first: Did you see Mr. Rothschild in the hearing room so you would know whether or not you knew him?

Mr. WELLS. I didn't go to the hearing and I didn't see him in the building.

Mr. FORER. Mr. Wells did see the picture of both Mr. and Mrs. Rothschild, which I believe was in the *Times Herald* yesterday.

The CHAIRMAN. And from that picture you don't recall either one?

Mr. WELLS. It didn't ring any bells at all.

The CHAIRMAN. Would you show Mr. Wells the picture.

Mr. WELLS. [After looking at the picture of Edward Rothschild.] The face isn't familiar.

Mr. COHN. Do you know anybody presently working for the U.S. government who is a Communist?

Mr. WELLS. I refuse to answer for the reason I gave before.

Mr. COHN. Do you know Gertrude Evans?

Mr. WELLS. Yes.

Mr. COHN. Do you know her as a member of the Communist party?

Mr. WELLS. I refuse to answer for the same reason.

Mr. COHN. Do you know Jack Zucker?

Mr. WELLS. Yes.

Mr. COHN. Do you know Jack Zucker as a member of the Communist party?

Mr. WELLS. I refuse to answer for the same reason.

Mr. COHN. Isadore Kornfield?

Mr. WELLS. Not that I recall.

Mr. COHN. Irving Studenberg?

Mr. WELLS. No, I don't think so. I don't remember the name.

Mr. COHN. Robert Lee?

Mr. WELLS. Yes, I knew a Robert Lee.  
 Mr. COHN. As a member of the Communist party?  
 Mr. WELLS. I refuse to answer on the same basis I gave before.  
 Mr. COHN. Do you know Martin Chancey?  
 Mr. WELLS. I refuse to answer for the same reason I gave before.  
 Mr. COHN. I have nothing more.  
 The CHAIRMAN. Thank you, gentlemen.

**TESTIMONY OF PHILLIP FISHER (ACCOMPANIED BY HIS  
 COUNSEL, FRED SOMKIN)**

The CHAIRMAN. In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FISHER. I do.

The CHAIRMAN. What is your counsel's name?

Mr. SOMKIN. Fred Somkin, 1420 New York Avenue.

Mr. COHN. Mr. Fisher, have you ever been a member of the Communist party?

Mr. FISHER. I have not.

Mr. COHN. Not in any way?

Mr. FISHER. No, sir.

Mr. COHN. You are the son-in-law of Charles Gift?

Mr. FISHER. Misfortunately.

Mr. COHN. You know Mr. Gift?

Mr. FISHER. Yes.

Mr. COHN. The reason we asked you to come in, Mr. Gift refused to answer whether or not you were a member of the Communist party and whether you attended Communist party meetings, so obviously we had to ask you to come in.

Have you ever worked for the government?

Mr. FISHER. I was purchasing agent, Naval Research Laboratory, Atomic Instruments. The navy and the FBI gave me a thorough check.

Mr. COHN. Did they ever bring up your relationship with Mr. Gift?

Mr. FISHER. I gave them the name of my wife, her father's name and that is all.

Mr. COHN. When was that exactly?

Mr. FISHER. 1950, I believe, because we went to Eniwetok in 1951.

Mr. COHN. And no issue was made at that time about the act—

Mr. FISHER. No, sir, they cleared me in about six weeks for the atomic research project we were working on.

Mr. COHN. Now, do you know Charles Gift is a Communist?

Mr. FISHER. Well, I couldn't say that he was directly, but the only bearing I have, my wife, Betty, said that he was and he refused to sign a loyalty paper that they put out in 1947 at the Naval Gun Factory. He had to leave there on that account. His wife was a telephone operator for the government. I believe it was Agriculture or some other department. She had to leave too because she wouldn't sign. That is as far as I knew.

Mr. COHN. Have you ever known that there were Communist party meetings at Mr. Gift's home?

Mr. FISHER. Not that I know of. I was there seldom. I used to pick Betty up and take her home for about two weeks and they never had meetings there.

Mr. COHN. Was there any evidence of Communist activities there?

Mr. FISHER. No, I wouldn't say there was except he had a couple of papers which he kept secret. Betty told me I should read some of the crap that was in them. I never saw them. He got a weekly magazine.

Mr. COHN. Do you know Betty's sister, Gale?

Mr. FISHER. Yes.

Mr. COHN. Is she a Communist?

Mr. FISHER. Not to my knowledge. She was investigated by the FBI because she worked for the FBI. I understand from Betty she was cleared through that.

Mr. COHN. Have you ever seen the *Daily Worker* around Gift's house?

Mr. FISHER. I have never seen it. I have seen a paper but I don't recall the name of it. Maybe a four-page sheet.

Mr. COHN. When was that?

Mr. FISHER. Maybe 1948 or 1949. I don't recall.

Mr. COHN. Now, your sister-in-law, Mr. Gift's other daughter, works for the Department of Justice?

Mr. FISHER. She did the last I knew of her.

Mr. COHN. About when was that?

Mr. FISHER. Well, I have only seen her Thanksgiving before last. She was working there then.

Mr. COHN. When?

Mr. FISHER. Thanksgiving before last.

Mr. COHN. You don't know whether or not she is a Communist?

Mr. FISHER. Betty said she wasn't.

Mr. COHN. Did she ever express procommunist views?

Mr. FISHER. The whole family was very quiet, including the father. When I visited over at the house he would be lying on the couch and he wouldn't bother to raise up and say "Hi" or "Hello" or anything else. He would just lie there.

The CHAIRMAN. Did you ever attend any Communist party meetings yourself?

Mr. PHILLIPS. No, sir.

The CHAIRMAN. I think that is all. Incidentally, unless you tell the press you are here, they won't know you are here.

Mr. PHILLIPS. Thank you very much.

[Whereupon, the hearing adjourned at 11:45 a.m.]

## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—Joseph E. Francis (1907–1955), Samuel Bernstein, and Roscoe Conkling Everhardt did not testify in public session. On August 29, the Government Printing Office informed the subcommittee that it had transferred all three men to the Library of Congress, as part of a new policy to move any employee under security investigation to jobs where they would not have access to classified materials.]

WEDNESDAY, AUGUST 19, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 2:00 p.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Richard O'Melia, general counsel, Committee on Government Operations; Ruth Young Watt, chief clerk.

### TESTIMONY OF JOSEPH E. FRANCIS

The CHAIRMAN. In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FRANCIS. To the best of my ability.

The CHAIRMAN. The answer is "I do"?

Mr. FRANCIS. I said to the best of my ability.

The CHAIRMAN. I will ask you to take the oath in the usual fashion.

The question is this: In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FRANCIS. I do.

The CHAIRMAN. Mr. Francis, you are presently working in the Government Printing Office?

Mr. FRANCIS. Yeh.

The CHAIRMAN. What type of work are you doing in the Government Printing Office?

Mr. FRANCIS. I happen to be a printer. My definite job is a lino-type operator in the patent section.

The CHAIRMAN. Do you have available to you or a chance to see any classified material?

Mr. FRANCIS. No, I wouldn't say so because we handle specifications for patents.

The CHAIRMAN. Have you ever seen material which was labeled "restricted," "classified," "secret" or "confidential"?

Mr. FRANCIS. When I first started working at the printing office I was assigned to the linotype section which handled documents and records and court work, and, I believe, in the course of my work I have seen copy that has been marked "confidential."

The CHAIRMAN. Well, in the last week have you seen any material that was either marked restricted, confidential, secret or top secret?

Mr. FRANCIS. No.

The CHAIRMAN. How long since you have seen any classified material?

Mr. FRANCIS. Oh, Senator, to my knowledge I would say I don't know definitely whether I have seen any or not. In my particular line of work we receive a copy in a folio, maybe two or three folios at a time, and there is no way I can determine whether it is confidential or what unless I receive the beginning of a story—the cover.

The CHAIRMAN. In other words, when you receive printing material, you normally don't receive the jacket or cover sheet and, therefore, you don't know whether it is marked secret, top secret, confidential or restricted?

Mr. FRANCIS. Well, I wouldn't say—You see in handing out the copy, naturally it comes in stacks and when you finish one jacket or one particular job, you start another, and if you happen to take the first part it may be that you have the cover on there. I think it has the title of the particular job and if it is a confidential job or whatever particular label they may have on there. You may see something stamped on that particular cover, but I don't recall seeing anything.

The CHAIRMAN. You work in the so-called general printing shop of GPO and not the State building. Is that correct?

Mr. FRANCIS. No. I work in—It has been termed the corner of the print shop. I work in the patent section. We handle nothing but specifications or patents.

The CHAIRMAN. Is some of that material sent over by the army?

Mr. FRANCIS. No, not that I know of. We have no way of determining that. We get a patent just the same as you would go to a bookstore and buy a specification for an automobile. That is the nature of our work.

The CHAIRMAN. Now, let me inform you at this time, Mr. Francis, you are entitled to have an attorney if you care to have one. Under the rules of the committee your attorney can come into the executive session and you can advise with him.

In view of the fact that you do not have an attorney, I am going to take it upon myself to give you some advice. I am an attorney and have been for quite sometime. I have worked on these committees for quite a few years.

We see witnesses coming into this room repeatedly who are guilty of no crime under our present laws. They make the mistake of assuming that we don't know what the situation is. They leave the room guilty of perjury.

As you know, it is no crime under our present laws to be a member of the Communist party unless you know that the party is dedicated to the overthrow of this government by force and violence.

I would like to advise you now, for your own benefit, that you either tell the truth or that you refuse to answer on the grounds that the answer might tend to incriminate you. I strongly advise you not to try to deceive this committee because we have made a thorough investigation of your background. We know a great deal about your activities, so don't try to play with this committee.

Mr. FRANCIS. Senator, I haven't a thing to hide.

The CHAIRMAN. Good. Let me ask you this question.

When you were working in the Government Printing Office, were you a member of the Communist party?

Mr. FRANCIS. No, sir.

The CHAIRMAN. You never have been a member?

Mr. FRANCIS. I never have been a member. No, I haven't.

The CHAIRMAN. Were you ever a member of the 14th Ward of the Communist party?

Mr. FRANCIS. No, Senator. May I make a statement at this particular point.

Maybe I shouldn't take it upon myself to try to clear this situation up but this thing has been pressing on my mind sometime. It seems as though someone has been misinformed concerning my past activities. In all probability your record will show that I formerly worked at the *Afro American*. It is a newspaper in Baltimore.

During my time at the *Afro*, I helped the guys to try to form a union and, well, we had a little difficulty. I should say because we were Negro printers. We tried to get in the ITU. We went in here as a group and our membership was turned down. I think it was something like ten printers and it was our hope that if we were able to get into the ITU, we would have some printers to back us and thereby give us better grounds to negotiate with the company.

The CHAIRMAN. The ITU—

Mr. FRANCIS. International Typograph Union. As I said before, we were voted down. We were able to go into the CIO. We went into the CIO as the, I think at that time they affiliated us with a group called the CIO Organizing Committee, later on changed to United Paper Workers.

Later on I became president of that local. I acted as shop steward for a time. I worked on the negotiating committee for the union between the company.

The CHAIRMAN. Why were you turned down when you tried to get in the ITU?

Mr. FRANCIS. Well, Senator, it was a situation like this. At that time—I guess it was somewhere around 1941, 1940 or something like that—anyway we submitted our application into the Baltimore Local and the applications were passed on to the union to vote on the membership. At that time it seemed as though they feared we were looking for their jobs, the Baltimore newspapers and commercial shops. The only thing we were interested in at that time was to have this union back it.

The CHAIRMAN. At the time was it claimed by anyone that you were not taken by the ITU because of Communist activities on the part of any of your members?

Mr. FRANCIS. Oh, no. I doubt that seriously.

The CHAIRMAN. Do you recall that that claim was made?

Mr. FRANCIS. Oh, I don't know. I don't think so. I wouldn't go so far as to say a statement was made to that effect.

The CHAIRMAN. Actually, weren't you informed that you couldn't become a member of the ITU because your group was Communist dominated?

I am not asking you whether it is true. I am not asking you whether they were Communist dominated. I am asking you whether or not you were informed by officials of the ITU of that?

Mr. FRANCIS. No, it wasn't that at all.

The CHAIRMAN. Did they ever bring that subject up?

Mr. FRANCIS. Not to my knowledge.

The CHAIRMAN. Did you ever attend Communist party meetings?

Mr. FRANCIS. Senator, I would like to make this statement to clear that particular question.

The outcome, as far as I personally was concerned, was after we were turned down as a group, my next move was trying to get in as an individual. Going into the ITU as an individual you would have to have two signatures of members in good standing to be placed on your application blank and at that time I was living in Baltimore at 1411 Division Street in an apartment house named Carver Hall and my apartment was apartment no. 50. Across the hall from me was a fellow by the name of Taylor.

The CHAIRMAN. What was his first name?

Mr. FRANCIS. William Taylor, and he knew that we use to have our meetings in the recreation hall of that apartment house, that is the union meetings, and of course, at that particular time I didn't know too much about this fellow, Taylor, other than the fact I knew he was an active man. He was going and coming all the time.

The CHAIRMAN. As a matter of fact, Taylor was a top functionary of the Communist party, wasn't he?

Mr. FRANCIS. That was what it turned out to be.

The CHAIRMAN. He succeeded Elizabeth Searle as head of the Communist party?

Mr. FRANCIS. I believe you are correct.

Somehow or other we became known to each other. He found out that we were struggling at *Afro* trying to organize and at that particular time, I think, he was working on a problem with the carpenters or some particular group.

The CHAIRMAN. May I interrupt. He didn't work on *Afro American* newspaper?

Mr. FRANCIS. No, he didn't.

The CHAIRMAN. Did you know at that time he was a Communist?

Mr. FRANCIS. Later on I found out he was.

The CHAIRMAN. Did you know it at that time?

Mr. FRANCIS. Yes. Oh, when I first met him he was just a neighbor. After a while I found that he was an official of the Communist party.

The CHAIRMAN. Did he ask you to go to Communist meetings?

Mr. FRANCIS. Well, I will bring that question up to this. Out of the outcome of the previous story that I told concerning my going into the ITU—my attempt to go into the ITU, he suggested that I contact or try to see a fellow who worked at the *Baltimore Sun*. That is a man I never did see.

Mr. COHN. Did Taylor tell you this?

Mr. FRANCIS. Yes. At that time they were organizing a group, a neighborhood group, I believe. In fact it was on Bluehill Avenue, which is a block behind or a block away from where I was living.

THE CHAIRMAN. Do you mean a neighborhood group of the Communist party?

Mr. FRANCIS. As far as I know. That is the best definition I can give you.

The CHAIRMAN. Who is this man on the *Baltimore Sun* you were to contact?

Mr. FRANCIS. That is what I am saying now. I never did meet the character.

The CHAIRMAN. Do you know what his name was?

Mr. FRANCIS. I didn't know anything about that.

The CHAIRMAN. Taylor said you were to meet someone on the *Baltimore Sun*?

Mr. FRANCIS. That is what I am trying to get up to. He suggested that I go around to this—I don't know what they call the club—go around to this club and I was to meet this fellow from the *Baltimore Sun*.

The CHAIRMAN. In other words, this fellow from the *Baltimore Sun* was a Communist. Is that right?

Mr. FRANCIS. I don't know. I never met the guy. I assume that he was.

The CHAIRMAN. In other words, you were supposed to go to this Communist club meeting and meet this man from the *Baltimore Sun*?

Mr. FRANCIS. I went around there on three occasions. I don't recall going around there more than that. From what I understand they met quite frequently. Inasmuch as I worked at night I had very little time to fool around with those guys.

The CHAIRMAN. How were you supposed to have identified this man from the *Baltimore Sun*?

Mr. FRANCIS. I imagine Taylor was going to introduce him to me.

The CHAIRMAN. Did you know whether he was a reporter, a type-setter, or editorial writer?

Mr. FRANCIS. Oh, I don't know. I never bothered too much about his background or anything like that because at that time I was just fishing in the dark. I was trying to better my situation on my job.

The CHAIRMAN. What made you think the Communist party could help you get in the ITU?

Mr. FRANCIS. Oh, let's see how I shall answer that question.

Well, I am going to tell you Senator. We had a pretty rough time. We went to the National Association for the Advancement of Colored People; we went to the Urban League and other major groups that we tried to get them on our side to help us organize and see our problems at *Afro*. They turned us down. Of course, I didn't actually attend the meetings but one of our members declared that

the National Association for the Advancement of Colored People refused to have anything to do with the case because we worked for one of their main outlets for publicity, the *Afro American*. I just felt that inasmuch as Taylor was organizing, I believe they actually succeeded in getting the colored carpenters into the union. After he told me the story about the carpenters—I tell you, Senator, it is a little difficult for me to remember exactly but as I said before, I am going to try to give it to you as straight as I can.

The CHAIRMAN. Let me see if I have the picture of it. You wanted to get roughly ten people into the ITU. You found you couldn't do that. For a period of time you thought perhaps the Communist party might be able to help you get in the ITU, having been informed that they had helped the colored workers—carpenters get into the carpenters' union.

Mr. FRANCIS. The only thing about that statement, Senator, you are placing emphasis on the Communist party and from my point of view it was just a social gesture.

The CHAIRMAN. Now, at the time you gave a statement to Ernest Mellor, did he ask you who had requested you to join the Communist party?

Mr. FRANCIS. Ernest Mellor?

The CHAIRMAN. I have a statement here: "I was solicited by a member of the 14th Ward Club of the Communist party to discuss the local's labor difficulties." You don't give Taylor's name here. Did they ask for his name?

Mr. FRANCIS. I tell you, Senator. I have a copy of that information in my pocket now. In reference to that particular statement, he used the word "solicit" because that was the only thing that would clear up my particular situation.

The CHAIRMAN. I am curious, not about your activities, but of the extent to which you were questioned by the people in charge of loyalty.

Did they ever ask you about Taylor?

Mr. FRANCIS. Oh, no. I am trying to clear the matter up as quickly as I possibly can.

The information I furnished to the loyalty board and the group at the printing office was what I thought was direct answers to the questions they asked.

The CHAIRMAN. How long did you receive the *Daily Worker*?

Mr. FRANCIS. Oh, I don't know, Senator. It must have been about, I would say, three or four months.

The CHAIRMAN. Actually wasn't it two years?

Mr. FRANCIS. No, not two years, because I will tell you the reason why. I don't even recall paying for the subscription. I don't know whether I had to make a deposit on the thing or what but it seemed like to me that would be the regular routine, but the delivery of the *Daily Worker* stopped.

The CHAIRMAN. Well, you received it in two different calendar years, didn't you? What I mean by calendar years—

Mr. FRANCIS. I understand your question. I tell you, Senator, that happened back somewhere around 1940, 1941 or 1942, something like that and I don't know exactly.

The CHAIRMAN. Why did you subscribe to the *Daily Worker*?

Mr. FRANCIS. Oh, I tell you, the *Daily Worker* and most of the major newspapers printed were printed by union printers, they carried the union label, and at that particular time I thought if there was a possibility of my going to work, I wanted to be prepared to work anywhere that a job would turn up.

The CHAIRMAN. In what way would the *Daily Worker* help you?

Mr. FRANCIS. You study style, typographical style, style of the newspaper, determine the type of work they do, the general style, the method required of printers to produce.

The CHAIRMAN. You don't consider the *Daily Worker* an example of the type of work you would be expected to produce?

Mr. FRANCIS. I am speaking from a technical standpoint, Senator. I am speaking as a printer. There are certain newspapers, they look pretty bad to me. Some of them I don't want to work on, speaking from a technical angle.

The CHAIRMAN. I gather your testimony to be that you subscribed to the *Daily Worker* because of the technical style of it? Actually, isn't it true that the technical style of the *Daily Worker* was extremely bad from the standpoint of any competent style of work?

Mr. FRANCIS. I don't know what it is now.

The CHAIRMAN. When you saw it?

Mr. FRANCIS. Union printers put out good work.

The CHAIRMAN. The *Daily Worker*. Was that good work?

Mr. FRANCIS. I say, Senator, union printers put out good work. I cannot classify good printing and Communistic printing.

The CHAIRMAN. We are not talking about the policies of the *Daily Worker*. You said you studied the style yourself for any job that would come up. I am curious to know whether after you studied it, it was gotten out so well from a technical standpoint that you would again—

Mr. FRANCIS. That wasn't my particular point, Senator. I just felt if I could get a job—I knew there were Negroes working on the *Times* and other New York papers and I felt maybe some day I probably would have to change my sitting and go to New York and try to get in the ITU and thereby work on these papers.

The CHAIRMAN. Did you subscribe to the *New York Times*?

Mr. FRANCIS. I use to buy it occasionally. It is quite a paper.

The CHAIRMAN. What other papers did you subscribe to besides the *Daily Worker*?

Mr. FRANCIS. I can't necessarily say papers. *American Printer* and *Inland Printer*.

The CHAIRMAN. May I say, Mr. Francis, you know I have never seen you before today. I know nothing about you except your record here. I can understand in some cities Negroes have difficulty getting into unions. I can understand that you might have used, what would seem, bad judgment in trying to get into a union where you could make a better living for yourself and family, but when you subscribe to the *Daily Worker* and say you did that to improve yourself technically, that doesn't make sense because the average printer will tell you that the *Daily Worker* is very badly printed and not a model to follow.

Let me ask you this: Is it a fact that Taylor or some other person persuaded you that the Communist party could help you; they persuaded you the thing to do was to read the *Daily Worker* and per-

haps go along with the Communist party; that they might help you get the consideration you were entitled to in this union?

Mr. FRANCIS. No, sir.

The CHAIRMAN. You tell us that that was the only paper you subscribed to?

Mr. FRANCIS. Senator, I worked, as I said before, for *Afro*. I read the *Baltimore Sun* and the *News Post* and I don't have any definite reason, other than what I have just stated, as to why I bought this subscription to the *Daily Worker*.

The CHAIRMAN. Do you know who sold it to you?

Mr. FRANCIS. I don't know. That is the thing I have been trying to turn over in my mind for sometime. I don't know definitely whether I got the subscription from Taylor or just who I got it from. More than likely, that is who I got it from.

The CHAIRMAN. Did you know any Communists on the *Baltimore Post* or the *News Post*?

Mr. FRANCIS. No, I just got through saying I didn't know any of those people.

THE CHAIRMAN. You worked for the *Baltimore Sun*?

Mr. FRANCIS. I didn't work on the *Baltimore Sun*. I wish I did.

The CHAIRMAN. You didn't know anyone on the *Baltimore Sun*?

Mr. FRANCIS. No.

The CHAIRMAN. *News Post*?

Mr. FRANCIS. No.

The CHAIRMAN. Do you know William Taylor's address?

Mr. FRANCIS. Present address? No. I haven't seen that fellow since the war.

The CHAIRMAN. What was his address when you knew him?

Mr. FRANCIS. He lived at 1411 Division Street.

The CHAIRMAN. That is in Baltimore?

Mr. FRANCIS. Yes. He has long since moved from there.

The CHAIRMAN. Is it your testimony that you only attended three Communist meetings?

Mr. FRANCIS. To my knowledge, I would say that is all.

The CHAIRMAN. Did you ever pay dues to the Communist party?

Mr. FRANCIS. I don't see how I could pay dues to the Communist party, Senator, and not belong to the organization.

The CHAIRMAN. Didn't you contribute some money at any of these meetings? Didn't they collect money.

Before you answer may I make a suggestion. You are here without counsel.

Mr. FRANCIS. I am not trying to confuse anybody, Senator, and I don't want anybody to confuse me.

The CHAIRMAN. I want to give you some advice. We have given advice to individuals before. They refused to take it and are in jail now for perjury. Don't make the mistake of trying to fool us.

Mr. FRANCIS. Senator, I came here with an open heart and it is up to you and your associates to take my statement. I said before, I haven't a thing to hide. You are asking me something that happened ten or twelve years ago. I am doing my best to give you the exact information I can.

The CHAIRMAN. Were you ever issued a card by the Communist party?

Mr. FRANCIS. Not that I know of. If I had a card I should have it today. I don't throw away anything.

The CHAIRMAN. Did you ever contribute money to the Communist party?

Mr. FRANCIS. No, sir.

The CHAIRMAN. Are you sure?

Mr. FRANCIS. I am positive. I don't know what I paid for the subscription.

Mr. COHN. You know you did pay something for it?

Mr. FRANCIS. It seems customary when you subscribe to something you should pay something. I am telling you the honest truth, I don't know what I paid.

The CHAIRMAN. Are you married?

Mr. FRANCIS. Yes.

The CHAIRMAN. Do you have a family?

Mr. FRANCIS. Just my wife and I.

The CHAIRMAN. How long have you been married?

Mr. FRANCIS. It will be ten years this next January.

The CHAIRMAN. Is this your first wife?

Mr. FRANCIS. No, second wife.

The CHAIRMAN. You are divorced from your first wife?

Mr. FRANCIS. Yes.

The CHAIRMAN. Any children by your first wife?

Mr. FRANCIS. No.

The CHAIRMAN. Have you ever been arrested for other than traffic violations?

Mr. FRANCIS. Oh, no.

The CHAIRMAN. And you say you haven't attended any Communist party meetings in the last ten or twelve years?

Mr. FRANCIS. Now wait a minute, Senator. Let's catch up with ourselves. This is 1953, and you ask me ten years and that would be 1943. In 1943, let's see, where was I? Since you make a broad statement, Senator, I want to take in the space which would include these three meetings I said I attended. I don't know if you could call them meetings because when I got there there was about three people in the place.

The CHAIRMAN. What year was that?

Mr. FRANCIS. I assume it must have been around—must have been about 1942.

The CHAIRMAN. Other than those three meetings you attended in 1942 or around 1942, you have attended no other Communist party meetings?

Mr. FRANCIS. Absolutely not.

The CHAIRMAN. Did you ever attend any meetings in Taylor's home?

Mr. FRANCIS. Oh, I tell you Senator, sometimes I would go in there and maybe we would have just a little conversation about what we were doing or talking about the weather or anything and he would probably have visitors come in. Inasmuch as I didn't know them, politely left. I lived across the hall.

The CHAIRMAN. Were you over in his apartment when other people were there?

Mr. FRANCIS. Wait a minute. Let me explain. As I said before, I have been in his apartment and we have had various conversa-

tions and when his company would come in, with the exception of one fellow I knew—I knew him from the *Afro*. He was the personnel director and he is the man that I feel as though he is responsible for me being right here today.

The CHAIRMAN. What is his name?

Mr. FRANCIS. Ferman L. Templeton.

The CHAIRMAN. Was he a member of the Communist party?

Mr. FRANCIS. No, not that I know of.

He was a fairly active member in the community and knew just about everybody to be known. Of course, he recognized me as an employee of the *Afro American*. He always assumed that Taylor and I were great friends. It was not the fact that we were such great friends, he was just a neighbor of mine.

The CHAIRMAN. Now, outside of Templeton, was there anyone else in Taylor's room when you were there?

Mr. FRANCIS. Oh, no. That is the only one I knew.

The CHAIRMAN. Was there anyone else you didn't know?

Mr. FRANCIS. No, I never had a chance to see them, to tell the truth. I would just see them coming and going.

The CHAIRMAN. The question is: When you were there, who else was there? You said Mr. Templeton—

Mr. FRANCIS. You asked who else and I said no one else I knew.

The CHAIRMAN. The question is: Was there anyone else there whom you did not know?

Mr. FRANCIS. Well, Senator, I don't know how to answer that question, for the simple reason when you are living across the street or across the hall you may stand in the door and have a conversation about just general things and people may be coming and going. As I say, he was a busy man. Of course, the only times I had a chance to hold a conversation would be weekends or something like that. As I say, people would be coming and going. I didn't know them. I wasn't interest in them myself.

The CHAIRMAN. In other words, it was a pretty busy apartment?

Mr. FRANCIS. It was.

The CHAIRMAN. Actually, didn't you know he was a top functionary of the Communist party and Communists were coming and going, constantly?

Mr. FRANCIS. Senator, I tell you, I observe fairly well. I assumed he had a little authority or power from somewhere because anyone who was busy as he was, he had to be something, but later I read in the paper where he was. I don't know what he was—secretary or head of a district.

The CHAIRMAN. You knew he was more than a member of the Communist party?

Mr. FRANCIS. Yes, I would say that.

The CHAIRMAN. Outside of Mr. Templeton, did you know of anyone else who came and went to his apartment?

Mr. FRANCIS. No.

The CHAIRMAN. You knew no one else?

Mr. FRANCIS. I don't remember knowing anybody.

The CHAIRMAN. Do you know what Templeton is doing now?

Mr. FRANCIS. I don't know what his job is. To tell you the truth, I don't know where he is. He either quit the job at *Afro* or was fired or something. I don't know which.

The CHAIRMAN. I understand that the GPO loyalty board in a letter of charges accused you of being a Communist. Is that correct?

Mr. FRANCIS. Would you mind repeating your statement?

The CHAIRMAN. Is it correct that the loyalty board of the GPO accused you of being a Communist?

Mr. FRANCIS. Let me see before I answer that question. Let me see what it stated. If you don't mind I will read this first sentence:

It has been reported that in 1943 you were a member of the 14th Ward of the Communist Party in Baltimore, Maryland. If this is correct

- (a) When did you join the Communist Party?
- (b) How did you join the Communist Party?
- (c) Why did you join the Communist Party? and so on.

The CHAIRMAN. You were not put under oath by the loyalty board were you?

Mr. FRANCIS. Well, the statement I submitted had to be certified.

The CHAIRMAN. But you were never brought in and sworn and your testimony taken by a reporter?

Mr. FRANCIS. Oh, no.

The CHAIRMAN. Is it your testimony now that you never have any opportunity to get a hold of any confidential, secret, top secret material in the printing office?

Mr. FRANCIS. No, sir. As a matter of fact, I wouldn't be interested myself.

The CHAIRMAN. Do you know most of the people who work in the printing office?

Mr. FRANCIS. No, all I know is the guys in my section. Half of them I don't even know. Printers have a habit of changing jobs rather quickly.

The CHAIRMAN. What is your salary?

Mr. FRANCIS. \$3.23 an hour.

The CHAIRMAN. How many hours do you work?

Mr. FRANCIS. Forty hours.

The CHAIRMAN. Do you know anyone in GPO who has access to classified information?

Mr. FRANCIS. No, sir.

The CHAIRMAN. You don't?

Mr. FRANCIS. No, sir.

The CHAIRMAN. Roy, I have nothing further. Do you have anything further?

Mr. COHN. No.

The CHAIRMAN. That will be all. You will be ordered to consider yourself under subpoena in case the committee wants you. This is executive session. If you care to tell anyone you were here you may do so. The committee does not give the names of witnesses to the press or anything so that if you want to talk to the newspaper men, you have a perfect right to do so. You can tell them you were here.

Mr. FRANCIS. No, sir, Senator. I must say as far as my record is concerned I have been pretty fortunate. I have no complaint. I try to do my job well and try to be a decent citizen. I see no point in going any further.

The CHAIRMAN. Thank you very much.

Mr. FRANCIS. Thank you, Senator.

The CHAIRMAN. In case the committee wants you again, Mr. Cohn or Mr. Carr will get in touch with you.

Mr. FRANCIS. Okay.

**TESTIMONY OF SAMUEL BERNSTEIN**

The CHAIRMAN. Will you stand and raise your right hand?

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BERNSTEIN. Yes, sir.

Mr. COHN. You work over at GPO?

Mr. BERNSTEIN. Yes, sir.

Mr. COHN. How long have you been there?

Mr. BERNSTEIN. Twelve and a half years, since November 1940.

Mr. COHN. Do you have access to classified material?

Mr. BERNSTEIN. No, sir.

Mr. COHN. Have you ever had access to classified material—ever seen any?

Mr. BERNSTEIN. Except handed to me by my superior to set type from.

Mr. COHN. What classifications have been handed to you?

Mr. BERNSTEIN. Usually restricted.

Mr. COHN. Anything higher?

Mr. BERNSTEIN. Possibly, I wouldn't be sure.

Mr. COHN. Did you ever sign a Communist party petition?

Mr. BERNSTEIN. No, sir, not to my knowledge.

Mr. COHN. Are you quite sure?

Mr. BERNSTEIN. I think so.

Mr. COHN. Do you think so or are you sure?

Mr. BERNSTEIN. Possibly, without my knowledge. I am quite sure I haven't.

Mr. COHN. Do you have a brother named Jack?

Mr. BERNSTEIN. Yes.

Mr. COHN. Is he a Communist?

Mr. BERNSTEIN. Not to my knowledge.

Mr. COHN. Has he ever been?

Mr. BERNSTEIN. I don't know, sir.

Mr. COHN. Do you know him well? Are you close to him?

Mr. BERNSTEIN. I left home in 1940 and my brother Jack was thirteen when I came to work at the GPO. I guess he was thirteen, fourteen or fifteen years old. I have never had any contact with him since except to see him on occasions when I went to see my mother.

Mr. COHN. You don't know whether or not he is a Communist?

Mr. BERNSTEIN. No, sir.

Mr. COHN. Have you ever associated with members of the Communist party?

Mr. BERNSTEIN. No, sir, not to my knowledge.

Mr. COHN. Did you ever receive an interrogatory from the GPO loyalty board?

Mr. BERNSTEIN. No, sir.

Mr. COHN. They never contacted you?

Mr. BERNSTEIN. No, sir.

Mr. COHN. And you were never asked to sign a Communist party petition?

Mr. BERNSTEIN. No, sir.

Mr. COHN. Anything along those lines?

Mr. BERNSTEIN. No, sir.

The CHAIRMAN. Going back to the year September of 1940, did you at that time sign a pledge to support the Communist party?

Mr. BERNSTEIN. No, sir.

The CHAIRMAN. Do you remember signing any papers in connection with the nomination, which you may not have read so you may have signed?

Mr. BERNSTEIN. No, sir. I do not recall signing any such oath. I certainly would not sign any such oath.

The CHAIRMAN. Do you remember signing any nomination of the Communist party?

Mr. BERNSTEIN. No, sir, not to my knowledge.

The CHAIRMAN. Your address is 706 Decatur Place?

Mr. BERNSTEIN. I just bought that home.

THE CHAIRMAN. Your job is known as what—operating a monotype keyboard?

Mr. BERNSTEIN. That is right, sir.

The CHAIRMAN. What is a monotype keyboard?

Mr. BERNSTEIN. In some ways it is similar to a typewriter except you have six sets of keys. It is an automatic typesetting machine.

The CHAIRMAN. Are you married?

Mr. BERNSTEIN. Yes.

The CHAIRMAN. Family?

Mr. BERNSTEIN. Two children. One six and one half and one four and a half months old.

The CHAIRMAN. I understand that your sworn testimony today is that you never attended any Communist party meetings, never joined the party, and never made contributions?

Mr. BERNSTEIN. No, sir. I am quite sure I haven't.

The CHAIRMAN. I think that is all, Mr. Bernstein. May I say our practice has been not to give out names of the witnesses who have appeared before the committee. We do not bar witnesses from giving out their names if they care to. The reason we don't give out names, if we do that, the inference might be that we think a man is a member of the Communist party. We think it would be unfair to you.

Mr. BERNSTEIN. It certainly would, sir.

The CHAIRMAN. Let me say we have no intention of calling you in public session. If any information is given out about your appearance, it will be through you.

Mr. BERNSTEIN. I don't intend to give out information and hope I won't be involved.

The CHAIRMAN. Thank you very much.

#### TESTIMONY OF ROSCOE CONKLING EVERHARDT

The CHAIRMAN. Mr. Everhardt, would you stand and raise your right hand?

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EVERHARDT. I do.

Mr. COHN. Do you work in the Government Printing Office, Mr. Everhardt?

Mr. EVERHARDT. Yes, I do.

Mr. COHN. For how long a period of time?

Mr. EVERHARDT. Twelve years.

Mr. COHN. And have you ever had access to any classified material such as confidential stuff?

Mr. EVERHARDT. Yes.

Mr. COHN. Now? Up until the present time or what?

Mr. EVERHARDT. No. This was during the war years, around 1948 or 1949, I think. We were running some confidential work.

Mr. COHN. Have you ever been a Communist?

Mr. EVERHARDT. No, I haven't.

Mr. COHN. Have you ever received Communist party literature?

Mr. EVERHARDT. No, I haven't.

Mr. COHN. Were you ever asked to join the Communist party?

Mr. EVERHARDT. No, I haven't.

Mr. COHN. Did you ever express procommunist sympathies?

Mr. EVERHARDT. No.

Mr. COHN. Now, were you ever contacted by the loyalty board?

Mr. EVERHARDT. Yes, I was.

Mr. COHN. What did they tell you?

Mr. EVERHARDT. Well, they were asking me the same questions.

Mr. COHN. Did you have a hearing?

Mr. EVERHARDT. Well, not before the board, before the chief clerk.

Mr. COHN. You mean you just filed a statement, is that right?

Mr. EVERHARDT. Yes, sir.

Mr. COHN. You never did have a hearing of any kind?

Mr. EVERHARDT. No.

The CHAIRMAN. Mr. Everhardt, you were in the Agriculture Department for a while?

Mr. EVERHARDT. Yes, I was.

The CHAIRMAN. What year?

Mr. EVERHARDT. That was when I first come into the service, around 1936.

The CHAIRMAN. Who were your references when you got in the Agriculture Department?

Mr. EVERHARDT. I didn't have any references. I was sent there from the Civil Service.

The CHAIRMAN. Were you working in Civil Service?

Mr. EVERHARDT. I was working in Space Control temporarily. I was doing building maintenance and work of that sort.

The CHAIRMAN. Then you were sent over to the Agriculture Department?

Mr. EVERHARDT. Oh, yes.

The CHAIRMAN. What kind of work did you do there?

Mr. EVERHARDT. Cleaning work, maintenance.

The CHAIRMAN. What kind of work are you doing in GPO?

Mr. EVERHARDT. Press room, press work.

The CHAIRMAN. What do you do?

Mr. EVERHARDT. Handle the printing work, box it.

The CHAIRMAN. Box it up after it has been stitched?

Mr. EVERHARDT. No, after it comes off the press.

The CHAIRMAN. You handle all types of material, whether it is restricted, confidential or secret?

Mr. EVERHARDT. That is right. They have a room for secret work called the "cage." They generally run secret work up front.

The CHAIRMAN. Do you do any boxing of the secret work?

Mr. EVERHARDT. No.

The CHAIRMAN. I am not saying you did, but if you wanted to would you be able to take out any secret work out of the building?

Mr. EVERHARDT. No, sir because they put it in a truck and a fellow is supposed to take it downstairs.

The CHAIRMAN. If you wanted to, I am not asking you if you did, would you be able to read secret material?

Mr. EVERHARDT. It is running so fast you would hardly have time to read it unless you looked in the waste basket.

The CHAIRMAN. You could pick up material from the waste basket?

Mr. EVERHARDT. If I worked inside the cage.

The CHAIRMAN. Would you be able to get hold of waste material?

Mr. EVERHARDT. Not unless I worked inside the cage.

The CHAIRMAN. In your job doing what you are doing?

Mr. EVERHARDT. No, I couldn't get in there.

The CHAIRMAN. You couldn't get in there?

Mr. EVERHARDT. No, because there is a fellow in the room watching that secret work.

The CHAIRMAN. Would anyone working in there have any trouble putting a piece of that in their pocket?

Mr. EVERHARDT. I don't think so.

The CHAIRMAN. The reports on you from intelligence agencies show that you were a member of the Communist party. They have fourteen separate reports all dealing with alleged Communist activities. In view of that, may I make a suggestion to you. You have no lawyer. You are entitled to have a lawyer. Now, not having one, I would strongly urge that you tell us the truth or if you feel a truthful answer might tend to incriminate you, refuse to answer. In view of the fourteen different reports, I am going to ask you again. Did you ever join the Communist party?

Mr. EVERHARDT. Never. I don't belong to any organizations at all.

The CHAIRMAN. Were you ever solicited to join the party?

Mr. EVERHARDT. No.

The CHAIRMAN. Did you ever pay money to the party?

Mr. EVERHARDT. Never have.

The CHAIRMAN. Can you think of any reason why government intelligence agency would report that you were a member of the Communist party?

Mr. EVERHARDT. I told the people down there, when I first came in service we had a foreman and because I took up for him. That is the only thing I can see.

The CHAIRMAN. Would you have any idea who might have reported that you were a Communist?

Mr. EVERHARDT. No. As I rode over to the building I was trying to think. Some of those foremen maybe accused me of being a Communist.

The CHAIRMAN. The thing I have difficulty understanding is the fourteen separate reports. That is what I can't understand.

Mr. EVERHARDT. I don't belong to any organizations at all.

The CHAIRMAN. Were you ever asked to join the Communist party?

Mr. EVERHARDT. No. I have never been asked to join it.

The CHAIRMAN. Did you ever attend any meetings?

Mr. EVERHARDT. I don't know any Communists. I have never been to any meetings or anything.

The CHAIRMAN. Did you ever attend a Communist party meeting without your knowing it was a Communist meeting?

Mr. EVERHARDT. Not that I can say.

The CHAIRMAN. Do you go to many meetings?

Mr. EVERHARDT. I don't go to any meetings at all. We have a union at the building which was just organized. I am a member of that.

The CHAIRMAN. Have you ever been arrested?

Mr. EVERHARDT. I was picked up for investigation.

The CHAIRMAN. And where was that?

Mr. EVERHARDT. It was here.

The CHAIRMAN. Here in Washington?

Mr. EVERHARDT. Yes.

The CHAIRMAN. How long ago was that?

Mr. EVERHARDT. Oh, that was around 1943.

The CHAIRMAN. Only once?

Mr. EVERHARDT. No, I was coming in the back way of my mother's house and was picked up.

The CHAIRMAN. How many times were you picked up for investigation?

Mr. EVERHARDT. Twice.

The CHAIRMAN. Did they charge you with any crime or let you go?

Mr. EVERHARDT. They let me go one time on one charge. On the other charge they tried to say I committed house-breaking but I was freed.

The CHAIRMAN. They didn't find you guilty?

Mr. EVERHARDT. No.

The CHAIRMAN. Did you go before a court?

Mr. EVERHARDT. I was freed by the jury.

The CHAIRMAN. One time you were accused of house-breaking and the jury freed you. What did they pick you up for the other time?

Mr. EVERHARDT. Investigation.

The CHAIRMAN. And was that while you were working at GPO?

Mr. EVERHARDT. Yes.

The CHAIRMAN. Aside from the two times you were picked up that you mentioned, forgetting about any traffic violations, were you ever arrested or picked up for anything else?

Mr. EVERHARDT. No.

The CHAIRMAN. Just one final question. Is it your testimony that you never joined the Communist party; you never were asked to join the Communist party; you never contributed money to the Communist party; you never went to any meeting which you thought was a Communist meeting?

Mr. EVERHARDT. Not to my knowledge.

The CHAIRMAN. Is that right?

Mr. EVERHARDT. That is right.

The CHAIRMAN. And the only arrests were two cases. Case one, you were picked up for investigation and they let you go. No charge was filed. The other case you were charged with house-breaking and the jury freed you?

Mr. EVERHARDT. That is right.

The CHAIRMAN. And you say your work is what?

Mr. EVERHARDT. Press room, handling press work.

The CHAIRMAN. You say you do not box secret or top secret material?

Mr. EVERHARDT. No.

The CHAIRMAN. How about confidential?

Mr. EVERHARDT. They run confidential and some restricted.

The CHAIRMAN. If you wanted to, again I am not saying you did, but if you wanted to, you could put the confidential material in your pocket and leave the building?

Mr. EVERHARDT. If I wanted to.

The CHAIRMAN. Is there any particular count made when the material comes into the room and when it leaves the room?

Mr. EVERHARDT. No. You see it is one large room, the main press room. They run it on a different press-confidential and sometimes restricted.

The CHAIRMAN. Assuming you are getting out confidential material, who tells you how many pieces to pack in boxes?

Mr. EVERHARDT. They have trucks you fill up and you put a slip with it—confidential or restricted on it. The pressman takes the count from the count press to see how many he runs and sticks that in the truck.

The CHAIRMAN. That runs through a counter, does it?

Mr. EVERHARDT. That is right.

The CHAIRMAN. How about material mutilated or spoiled?

Mr. EVERHARDT. It is put in a waste truck with restricted on it.

The CHAIRMAN. Is that counted?

Mr. EVERHARDT. It is not counted. I think it is taken downstairs and burned up.

The CHAIRMAN. Then if you have the count from the machine—Let's say the machine counts 110 pieces. If there are four or five or six mutilated in printing, you end up with six pieces no good, then you have 104. If you wanted to you could take a piece of the stuff that was torn or mutilated and put it in your pocket and no one would know the difference?

Mr. EVERHARDT. Yes.

The CHAIRMAN. I think I have no further questions.

Mr. EVERHARDT. I was surprised to be connected with the Communist party. I don't belong to any organizations at all.

The CHAIRMAN. I may say just for your benefit, we have individuals much nearer to the top that we are bound to investigate. I doubt very much if we will get down to the point of calling you back here. I frankly can't reconcile your testimony with reports from the FBI, but we do have people handling a lot more secret material I think we will spend our time on.

Mr. EVERHARDT. I can't see what kind of reports. I don't go anywhere except home.

The CHAIRMAN. We won't have anymore time to waste in your case.

I might say we have a practice of not giving to the newspapers anyone appearing in executive session. If you care to give your name or discuss the case you may. That will be the only way there will be any publicity.

Mr. EVERHARDT. I don't belong to any organizations or go to any meetings.

[Whereupon, the hearing adjourned at 4:30 p.m.]

## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—Florence Fowler Lyons did not testify in public session.]

FRIDAY, AUGUST 21, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Los Angeles, California*

The subcommittee met at 12:00 noon in chambers of Court Room 9, Federal Building, Los Angeles, California, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

### TESTIMONY OF FLORENCE FOWLER LYONS

The CHAIRMAN. Will you raise your right hand?

On the hearing before the committee, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Miss LYONS. I do.

Mr. SCHINE. Will you state your name for the record?

Miss LYONS. Florence Fowler Lyons.

Mr. SCHINE. Your address?

Miss LYONS. 621 South Burnside Avenue, Los Angeles 36.

Mr. SCHINE. And your occupation or vocation?

Miss LYONS. Freelance writer.

Mr. SCHINE. You have been doing research for the last two or three years on documents published by the Government Printing Office?

Miss LYONS. Yes, sir.

Mr. SCHINE. You are thoroughly familiar with the contents of many of these documents?

Miss LYONS. Yes.

Mr. SCHINE. Is it true that it came to your attention a couple of years ago that the Government Printing Office was publishing the Communist party line?

Miss LYONS. Yes, it did.

Mr. SCHINE. Would you elaborate on your findings and tell us when you started doing this research and show us just what you mean when you say the Government Printing Office has published the Communist party line?

Miss LYONS. The first interest became in preparing to do a book against world government, and I was looking through the library files under the United Nations, and came across a course of study designed for-a course called the E and S course.

I had been in the fight in the legislature in 1947 to bar the use of the State of California of a series called "Building America." The

Third Report of the Senate Committee of the State of California covered that battle. The books were declared unfit for use in the schools of California, because of the long list of the Communist and pro-Communist writers.

Mr. SCHINE. Will you give me the names of some of the writers used?

Miss LYONS. There were forty-eight, as I remember, in the review. Stuart Chase—I can get that Third Report.

Mr. SCHINE. Have you the list with you?

Miss LYONS. Yes.

Mr. COHN. Are there documents printed by the Government Printing Office?

Miss LYONS. No. This is by the state printing office. I was giving a bit of the background, how I got into the Government Printing Office. This in the state printing office [indicating].

Mr. COHN. Don't bother with that now.

Mr. SCHINE. Just name some of the names.

Miss LYONS. I want to get them off that right list. Stuart Chase, Carl Wittke, the Lynds.

The CHAIRMAN. That is enough. You can supply these names later on.

Miss LYONS. There were forty-eight names, as I remember.

Mr. SCHINE. Will you supply those to us?

Miss LYONS. Yes.

Mr. SCHINE. Now, you have some pamphlets with you that were printed by the Government Printing Office?

Miss LYONS. Yes, sir.

Mr. SCHINE. Would you produce them, please?

Miss LYONS. Well, you see UNESCO is an operation of the State Department. The propaganda is put out chiefly by the UNESCO relations staff in the Department of State and all of the——

Mr. COHN. Excuse me, I hate to interrupt. You mean the Government Printing Office printed pamphlets?

Miss LYONS. For UNESCO. This is the working kit. Believe me, this is not the complete kit. That was printed by the Government Printing Office for use at the Third National Conference of UNESCO.

The CHAIRMAN. Off the record.

[Discussion off the record.]

The CHAIRMAN. On the record.

Miss LYONS. These are working papers for the conference [indicating].

Mr. SCHINE. Just to deviate for a second, and to put into the record some vital information which you told me about in our interview yesterday, you are completely familiar with the group that set up UNESCO, is that not right?

Miss LYONS. Yes, I am.

Mr. SCHINE. Would you give us the names of the people that you have found, through your study, to be responsible for the organization of UNESCO?

Miss LYONS. You have to go back a long way, before 1946, because——

Mr. SCHINE. Just name the names.

Miss LYONS. Milton Eisenhower, the man in charge of the State Department. He was assistant to the Secretary of State William Benton.

Milton Eisenhower, Archibald Leach, Esther Brunauer, William T. Stone, Irwin Canham, editor of the *Christian Science Monitor*.

There were a great many people sat in the preparatory commission to form UNESCO.

Mr. SCHINE. These gentlemen you just named were the heads of the commission?

Miss LYONS. Yes, Benton headed the commission.

Mr. SCHINE. What did Luther Evans have to do with it?

Miss LYONS. Luther Evans was one of the American delegates to the original preparatory commission of the UNESCO group. They went over to London around '44 and '45 as a preparatory commission and met with people of other nations, such as Ellen Wilkinson, a notorious Socialist of England, and Edward Foray of France, who formed and wrote UNESCO's basic documents.

As I understand it, this educational program of UNESCO was done in cooperation with the State Department, which has some of its documents printed by the Government Printing Office, and has a program called "Toward A Better World Understanding." The series is called "Toward World Understanding."

Mr. SCHINE. In order to promote this program, they have published many pamphlets called "Toward A Better World Understanding," and have disseminated these pamphlets to schools throughout the United States?

Miss LYONS. May I explain? There is a lot of confusion about the "Toward World Understanding" series. That was a series much denied by the people who are supporting UNESCO. It is actually, when you study the subject, the international blueprint which the entire UNESCO program has been based on.

They say they were a series of international seminars. They are not printed on United States Government printing presses. Those are printed in Paris and are sold by the Columbia University Press as the sales agency for the UNESCO group and for the United Nations.

There is hardly a word in the "Toward World Understanding" series which were released around 'forty-eight. It cannot be shown that they have implemented those plans. However silly the plans seemed at first, you can just about bring out a textbook or a map or some program of study based solidly upon them.

Mr. SCHINE. In other words, what you are telling us is that the UNESCO, in cooperation with the State Department, and to a large degree through using the Government Printing Office, has disseminated the Communist party line?

Miss LYONS. Very much so. They of course tell everyone to buy the "Toward World Understanding" series. Those are the ones that lead to the first general dismay over the UNESCO program.

Mr. SCHINE. Would you name the platform of this series? This is very important, Mr. Chairman, because this is the Communist party line as advocated by Lenin in the state of evolution.

I know you can't remember them offhand. Could you give me the basic ideas they are trying to promote?

Miss LYONS. The basic idea, of course, throughout all of UNESCO is the teaching of the spirit of internationalism, which was one of Lenin's major objectives; the distraction and contempt for one's own country. You find throughout the UNESCO the complete attack upon the family, the attack upon religion, the attack upon national sovereignty beyond all belief. It is a program to break down the child from an individual American citizen well disciplined and equipped by the schools to make his living as an individual, which is the Communist program.

The CHAIRMAN. May I interrupt? Mr. Schine, could this witness analyze those documents and extract the excerpts from them which attack religion and attack the family, which could be of considerable value.

Mr. SCHINE. Mr. Chairman, they are all right here, all cross-referenced and all extracted. I think Miss Lyons will be happy to turn over to the committee the entire research that she has done.

Miss LYONS. May I show the destruction of the parochial schools in America? In volume—these are in volumes—2, it is titled, "The Education and Training of Teachers," and on page—

The CHAIRMAN. Could I interrupt there? That is a volume—

Miss LYONS. Of "Toward World Understanding."

The CHAIRMAN. Printed in the Government Printing Office?

Miss LYONS. No. We pay for it.

The CHAIRMAN. That is in UNESCO's documents, is it?

Miss LYONS. Yes. As I say, it is the international blueprint for UNESCO. Therefore, you find in this, implemented by the members of the National Commission and by the State Department of America, and they say these were not written for American schools, but I have the absolute proof here they are.

It says, among other things, "The following conclusions were reached about differences within educational systems," that children of different racial groups living in the same locality should share the same schools. That it would seem desirable for young people of different religions, living in the same community, to attend the same schools. That where private schools possess recognized educational advantages, that such schools should be made available to all sections of the community.

Now, if you remember this was 1948, I believe when this was put out. It takes a while for UNESCO to get around to implementing some of these plans. But it came in the mouth of Dr. James B. Conant the week of April 18, 1952. Dr. Conant addressed the five thousand members of the American Association of School Administrators. I will read this. This happens to be from the Catholic paper in Los Angeles called *The Tidings*. It is dated Boston.

America's private schools, which pioneered education in this nation from the days of the Pilgrims, last week were labeled as harmful to "democratic unity" by spokesmen for a public school superintendents' organization whose remarks left no doubt that they want only one school system for America—one controlled by the government.

In a slashing, open attack on non-government schools, Dr. James B. Conant, president of Harvard University, charged that "the greater the proportion of our youth who attend independent schools, the greater the threat to our democratic unity."

Conant's keynote idea war echoed again and again before the convention here of 5,000 members of the American Association of School Administrators whose spokes-

men charged all private and parochial schools with being divisive, dangerous, undemocratic, prejudiced, and un-American.

The CHAIRMAN. I think this analysis of the workings of UNESCO could be of tremendous importance especially in view of the activities of Luther Evans, who is now the chief delegate.

Mr. COHN. He is the secretary.

Miss LYONS. He's the director general of UNESCO now.

The CHAIRMAN. Obviously, we wouldn't have time to adequately and intelligently go through all this material today, with all the other material.

What is your suggestion now as to how this record can be made? I am very serious. I think this is an important project.

Mr. SCHINE. I think, Miss Lyons, if you could write a report for the committee, boiling down all of your findings into simple conclusions—

The CHAIRMAN. That is quite a request to make of a witness.

Miss LYONS. It is two years' solid day and night research.

Mr. SCHINE. If you would like to show how the Government Printing Office is working—

Miss LYONS. Well, I can—

The CHAIRMAN. Just a second. What do you make your living at now?

Miss LYONS. Just nothing, what I can make out of UNESCO, which is very, very little, and speeches.

The CHAIRMAN. In other words you are a freelance writer?

Miss LYONS. I have been two years on this. It was so tragic and such a terrible thing I had to do it.

The CHAIRMAN. You have no income from this, do you?

Miss LYONS. No.

The CHAIRMAN. I am wondering how you make your living, what you live on.

Off the record.

[Discussion off the record.]

The CHAIRMAN. On the record.

Miss LYONS. Actually, this is so terribly serious I don't think anyone knows how terribly serious and what a nest of communism, stark, rank communism the children are sent to by the Government Printing Office via the UNESCO.

The CHAIRMAN. Obviously, this witness has done a tremendous amount of research. If she wanted to give her testimony in a written form, boiled down as much as possible, to analyze this, the committee would have the authority to pay her witness fees for the days she worked getting her testimony in writing. What is that, \$9.00 a day? That is no salary for a writer.

Miss LYONS. That would be swell.

The CHAIRMAN. That is the only fee we can pay. Why not let this witness do the best job she can in the next ten days. That is a short period of time.

Mr. SCHINE. That will be fine.

The CHAIRMAN. And she can send you a resume of the material, and if you would like to go into it further you can get in touch with her.

Mr. SCHINE. I have one other idea.

Mr. COHN. I think, definitely, to put the emphasis on documents printed in the Government Printing Office, the UNESCO documents.

The CHAIRMAN. I am interested in UNESCO, entirely separate and apart from the Government Printing Office.

Mr. SCHINE. So far as the State Department information build-up, too.

The CHAIRMAN. Off the record.

[Discussion off the record.]

The CHAIRMAN. On the record.

Mr. SCHINE. I have one idea. The names of many Communist authors we haven't called yet, whose writings have been printed by the Government Printing Office; if Miss Lyons could put that in the record now, that would provide us with—

The CHAIRMAN. Off the record.

[Discussion off the record.]

The CHAIRMAN. On the record.

Mr. SCHINE. Let me pose a question. Miss Lyons, is it true that the Government Printing Office has printed documents and bibliographies which recommend the reading of works by known Communist authors?

Miss LYONS. It is true, but, as you must allow, most of the Communist subversion in the UNESCO material is done by cross reference. I will show you how it is done.

This is a United States National Commission for UNESCO publication [indicating]. It is called the "UNESCO Story." It is called a "Resource and Action Booklet for Organizations and Communities." In the original form this was a large blue book [indicating]. This is a reprint of a chapter. It is an over-all coverage of what UNESCO is doing.

In the chapter on human rights—it happens to be a State Department publication 3931, which sold for 55 cents at the Government Printing Office. In the chapter on human rights they have a series of illustrations taken from a pamphlet. The pamphlet is titled "America's Stakes in Human Rights," published by the National Council for the Social Studies.

When you got a hold of this 25-cent pamphlet put out by the National Council for the Social Studies, which is an affiliate of the National Education Association, you find that in that one 25-cent pamphlet there are amazing number of people with known and documented Communist front affiliations.

Mr. SCHINE. Would you tell us what this is?

Miss LYONS. This is the list of around—it is 50 authors, who had very serious affiliations with Communist front organizations, as listed by the California Senate Investigating Committee on Education in 1948, and this is published in the Third Report.

Mr. SCHINE. What Third Report?

Miss LYONS. Third Report of the Senate Investigating Committee on Education, of California. They give you the list.

Mr. SCHINE. Where are they listed? Will you state the name of the publication?

Miss LYONS. I just gave it to you. It is the Third Report of the Senate Investigating Committee on Education, published by the State of California.

Mr. SCHINE. Miss Lyons, your attention was first directed to the realization that the UNESCO, in cooperation with the State Department and the Government Printing Office, was using the works of Communist writers when you read the Third Report of the Senate Investigating Committee on Education and discovered a list of "Building America Authors Affiliated With Communist Front Organizations," which are as follows, and that this same list of authors were individuals whose works were very often used by the UNESCO in cooperation with the State Department:

- |                                  |                               |
|----------------------------------|-------------------------------|
| 1. Adamic, Louis                 | 26. McWilliams, Carey         |
| 2. Anderson, Sherwood            | 27. Mumford, Lewis            |
| 3. Beard, Prof. Charles A        | 28. Nelson, Rose              |
| 4. Beard, Mary                   | 29. Overstreet, Prof. H. A.   |
| 5. Buck, Pearl S.                | 30. Radin, Prof. Paul         |
| 6. Burns, Eveline M.             | 31. Roberts, Prof. Holland D. |
| 7. Chaffee, Prof. Zechariah, Jr. | 32. Sandoz, Mari              |
| 8. Chase, Stuart                 | 33. Seabrook, William         |
| 9. Corsi, Edward                 | 34. Spaeth, Sigmund           |
| 10. Crawford, Kenneth            | 35. Staley, Prof. Eugene      |
| 11. Crow, Carl                   | 36. Steffens, Lincoln         |
| 12. Embree, Edwin                | 37. Stern, Prof. Bernhard J.  |
| 13. Epstein, Abraham             | 38. Stowe, Leland             |
| 14. Ernst, Morris                | 39. Strong, Anna Louise       |
| 15. Fisher, Dorothy Canfield     | 40. Traube, Shepard           |
| 16. Flanagan, Hallie             | 41. Wise, James Waterman      |
| 17. Goodsell, Prof. Willystone   | 42. Wittke, Carl W.           |
| 18. Hays, Arthur Garfield        | 43. Williams, Albert Rhys     |
| 19. Johnson, James Weldon        | 44. Wright, Frank Lloyd       |
| 20. La Farge, Oliver             | 45. Yutang, Lin               |
| 21. Lattimore, Owen              | 46. Alexander, Dr. Will H.    |
| 22. Lynd, Prof. Helen M.         | 47. Bourke-White, Margaret    |
| 23. Lynd, Prof. Robert S.        | 48. Graham, Prof. Frank P.    |
| 24. Macgowan, Prof. Kenneth      | 49. Hicks, Grenville          |
| 25. Mather, Prof. Kirtley F.     | 50. Webb, Sidney and Beatrice |

Miss LYONS. That is correct.

Mr. SCHINE. Miss Lyons, thank you for appearing here today for preliminary questioning concerning your research work.

In accordance with the chairman's suggestion, will you kindly prepare a report, listing the salient points and conclusions of your findings, which involve communism, procommunism in the Government Printing Office through the State Department and UNESCO?

Miss LYONS. Yes.

[Whereupon, at one o'clock p.m., Friday, August 21, 1953, the hearing was recessed.]



## SECURITY—GOVERNMENT PRINTING OFFICE

[EDITOR'S NOTE.—For refusing to answer certain questions about illegal gambling, in the public hearing that followed this executive session, Carl Lundmark (1897–1982) was suspended from his job at the Government Printing Office. Alfred L. Fleming, Earl Cragg (1906–1978), and Harry Falk (1891–1978) did not testify in public session.]

SATURDAY, AUGUST 29, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met, pursuant to Senate Resolution 40, agreed to January 30, 1953, at 9:45 a.m. in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Thomas La Venia, assistant counsel; Richard O'Melia, general counsel, Committee on Government Operations; Robert Jones, public relations, Senator Potter; Frances P. Mims, acting chief clerk.

### TESTIMONY OF ALFRED L. FLEMING

The CHAIRMAN. Will you raise your right hand, please?

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FLEMING. I do.

Mr. COHN. Give us your full name?

Mr. FLEMING. Alfred L. Fleming.

Mr. COHN. What is your position?

Mr. FLEMING. Night production manager.

Mr. COHN. Night production manager at GPO?

Mr. FLEMING. That is right.

Mr. COHN. Has it come to your attention that gambling has existed and does exist at the Government Printing Office?

Mr. FLEMING. It has been reported that gambling was going on. We investigated to the best of our ability and never found any evidence.

Mr. COHN. You never found any evidence?

Mr. FLEMING. We have never found any evidence to my knowledge.

Mr. COHN. Who made the reports to you?

Mr. FLEMING. Well, we had information—if a report came in from an anonymous caller who reported gambling, we would investigate through the formative section.

Mr. COHN. Weren't you officially advised by the police department that gambling was going on and supplied with the names of the people involved?

Mr. FLEMING. A report came in and was passed to me that they had information that gambling was being carried on. We investigated that and found no evidence.

Mr. COHN. You found no evidence at all?

Mr. FLEMING. No.

Mr. COHN. Now, you supplied to the staff of the committee a copy of a memorandum from Lt. Blick of the police department listing the names of those who, according to their information, were accepting numbers and horse bets. This is the copy. We can have that marked Exhibit 1.

Mr. FLEMING. That is right.

The CHAIRMAN. I think that is all Mr. Fleming. The staff will take up with your superiors the question of whether or not a man who was not supposed to be working on Saturday should get witness fees or a day off. We will take that up with your boss over there.

Mr. FLEMING. Thank you very much.

#### TESTIMONY OF CARL J. LUNDMARK

The CHAIRMAN. Mr. Lundmark, would you raise your right hand?

In the matter now in hearing before the committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LUNDMARK. I do.

Mr. COHN. Give us your full name?

Mr. LUNDMARK. Carl John Lundmark.

Mr. COHN. Are you employed at the Government Printing Office?

Mr. LUNDMARK. I am.

Mr. COHN. And for how long a period of time have you been employed there?

Mr. LUNDMARK. 1941, March 13th. About twelve years.

Mr. COHN. What do you do?

Mr. LUNDMARK. I am a hand compositor.

Mr. COHN. What is your salary?

Mr. LUNDMARK. Well, I will tell you, I work by the hour. \$3.00 and some cents an hour.

Mr. COHN. What was your income last year?

Mr. LUNDMARK. \$5,200 or \$5,300.

Mr. COHN. Now, Mr. Lundmark, have you ever engaged in illegal gambling activities?

Mr. LUNDMARK. Well, I tell you, under the Fifth Amendment I decline to answer that inasmuch as it may incriminate me.

Mr. COHN. Mr. Lundmark, have you ever engaged in illegal gambling at GPO or in cooperation with any persons employed there?

Mr. LUNDMARK. Under the Fifth Amendment, I decline to answer.

Mr. COHN. I am going to read you the names of four persons employed at GPO: Clinton E. Hicks; Chick Wiremaster; William A. Dorsey; William S. Jasnowsky.

I will ask if those four persons act as "runners" for you at the Government Printing Office?

Mr. LUNDMARK. Under the Fifth Amendment I decline to answer as it might incriminate me.

Mr. COHN. Have you ever had access to any classified material?

Mr. LUNDMARK. Yes, I have. No, I mean as far as setting it up. Can I explain it to you? During the Second World War, we had that navy list that was confidential. The foreman, Mr. Ackman, use to give it to me and another man, George Casey. I would tell these boys, "Don't read it. If you don't read it you don't know anything." All I did was correct them.

Mr. COHN. Mr. Lundmark, what was your total income last year?

Mr. LUNDMARK. \$5,200 to \$5,300.

Mr. COHN. No, I mean all told?

Mr. LUNDMARK. I decline to answer that question as it might tend to incriminate me.

Mr. COHN. It is a fact that you earned over \$25,000 in connection with illegal gambling activities?

Mr. LUNDMARK. No.

Mr. COHN. Did you earn any money in connection with illegal gambling activities?

Mr. LUNDMARK. I decline to answer that question as it might tend to incriminate me.

Mr. COHN. Do you have any interest in race horses?

Mr. LUNDMARK. I don't own them but my boy does.

Mr. COHN. Did you supply the money?

Mr. LUNDMARK. No, my boy had his own money.

Mr. COHN. You say you did not earn in excess of \$25,000 in illegal gambling activities?

Mr. LUNDMARK. No.

Mr. COHN. Did you earn in excess of \$10,000?

Mr. LUNDMARK. I did not.

Mr. COHN. \$7,500?

Mr. LUNDMARK. No.

Mr. COHN. \$5,000?

Mr. LUNDMARK. \$5,200 or \$5,300.

Mr. COHN. Forget your salary?

Mr. LUNDMARK. I decline to answer that question.

The CHAIRMAN. Let me ask you the question over again. I am not sure which ones you answered "no."

Did you make more than \$10,000 in connection with bookmaking or any other gambling activities?

Mr. LUNDMARK. I decline to answer that question as it might tend to incriminate me.

The CHAIRMAN. Did you make over \$20,000 as a result of your gambling activities?

Mr. LUNDMARK. I decline to answer that question. It might tend to incriminate me.

Mr. COHN. Do you own a thirty-five acre farm at Ardmore, Maryland?

Mr. LUNDMARK. I guess you could say I own it. I have a mortgage for \$6,500.

Mr. COHN. How much did you pay for it?

Mr. LUNDMARK. \$13,000.

Mr. COHN. How much cash?

Mr. LUNDMARK. I will be honest with you. I think I paid—I have got to make a payment now—

The CHAIRMAN. May I make a suggestion. Number one, be sure you hear the question. Number two, don't try to fool counsel with any false answer. If you think an answer will incriminate you, refuse to answer. Tell the truth or refuse to answer. Be sure you hear the question.

How many horses do you have on the farm?

Mr. LUNDMARK. There are six at present.

The CHAIRMAN. Race horses?

Mr. LUNDMARK. Mares. They are not racing anymore. If you've got a farm and want one, I will be glad to give it to you if you will be sure you graze him and take care of them. That is how much they are worth.

The CHAIRMAN. I don't think I want one.

Mr. LUNDMARK. There is six altogether. There is one little colt, weaning.

The CHAIRMAN. Has there ever been an investigation of you since you have been working at the Government Printing Office in connection with gambling or bookmaking?

Mr. LUNDMARK. I decline to answer that question as it might tend to incriminate me.

The CHAIRMAN. How many horses do you or your son have either racing now or have had racing this year or will have racing this year?

Mr. LUNDMARK. If you will put it this way, my son not me. He has five.

The CHAIRMAN. Do you own any of those horses?

Mr. LUNDMARK. I do not.

The CHAIRMAN. What does your son work as?

Mr. LUNDMARK. Trainer.

The CHAIRMAN. How old is he?

Mr. LUNDMARK. Bob is twenty-nine. No, he is thirty right now, August 19th.

The CHAIRMAN. Where did he get the money to buy horses?

Mr. LUNDMARK. He saved his money in the army. He don't drink; don't smoke; don't think the kid ever spent a nickel in his life.

The CHAIRMAN. Did you ever make a gift of either horses or money to your son?

Mr. LUNDMARK. I have advanced the boy a couple of hundred dollars at one time.

The CHAIRMAN. Is that all?

Mr. LUNDMARK. That is all.

The CHAIRMAN. You never made a gift of horses?

Mr. LUNDMARK. No.

The CHAIRMAN. Now, you may want to decline to answer this also but I will have to ask the question for the record. What property do you own at this time besides this farm?

Mr. LUNDMARK. None.

The CHAIRMAN. Do you have a bank account?

Mr. LUNDMARK. A small one—about \$150 in it.

The CHAIRMAN. Any cash?

Mr. LUNDMARK. What I have in my pocket. My wife has hers.

The CHAIRMAN. Do you have a safety deposit box?

Mr. LUNDMARK. I do not.

The CHAIRMAN. You understand we will not be concerned with your private life and what you do except you are working in the printing office where your workmen handle classified material. In view of that it becomes important whether you are a bookmaker.

Mr. LUNDMARK. That work is important, especially when we get a job like in World War II.

The CHAIRMAN. Do you have access to classified material at this time?

Mr. LUNDMARK. No, I don't. I don't think anybody in our department does.

The CHAIRMAN. Do you set up classified material on the machine?

Mr. LUNDMARK. I am a hand compositor. You make a mistake, set a mistake wrong, we have got to make corrections.

The CHAIRMAN. If a mistake is made on secret work, you are the man who corrects it?

Mr. LUNDMARK. I could be.

The CHAIRMAN. Do you?

Mr. LUNDMARK. Anything the man gives me I will do.

The CHAIRMAN. I would like to know whether in the past year you have handled secret work?

Mr. LUNDMARK. No, I don't think there has been any secret work as far as I know.

The CHAIRMAN. Any classified work of any kind?

Mr. LUNDMARK. Not to my knowledge.

The CHAIRMAN. Who in your same type of work handles the classified work if you don't?

Mr. LUNDMARK. I don't think there is anything that goes through our office at night that is classified as secret anymore. About the only secret thing—we get special orders or AGOs and anybody can work on them.

The CHAIRMAN. We have the testimony that your office, the entire Government Printing Office handled about 250,000 pieces of secret and top secret work, a vast amount of confidential work and restricted work. If they produced those hundreds of thousands of copies, who does the work on it if those in your office do not?

Mr. LUNDMARK. Our department really takes care of congressional work at night, hearings now like we have here. We work at night so you people will have a copy of it in the morning. That is about the extent of our department.

The CHAIRMAN. How about navy work?

Mr. LUNDMARK. I haven't seen any navy work since the time in World War II.

The CHAIRMAN. How about work from the State Department?

Mr. LUNDMARK. I can't say I have seen any. As I say, our department is mostly Congressional Records and hearings. You have a hearing today, we go to work tonight; we run it off; correct it. That consists of our work at night, the majority of it.

The CHAIRMAN. Let me ask you one other question. As of the present time are you operating a book?

Mr. LUNDMARK. Under the Fifth Amendment I decline to answer as it might tend to incriminate me.

The CHAIRMAN. Are you associated with or do you have information of any wire service handling racing information?

Mr. LUNDMARK. I do not.

The CHAIRMAN. I am going to ask you about four individuals, which I believe Mr. Cohn asked you about all together and you declined to answer. I am going to ask you about each one individually to make the record complete.

Did or does a Mr. Chick Wiremaster act as one of your runners in connection with bookmaking?

Mr. LUNDMARK. Under the Fifth Amendment I decline to answer because it might incriminate me.

The CHAIRMAN. Does Wiremaster work at the printing office now?

Mr. LUNDMARK. Truthfully speaking, I don't know Wiremaster. I don't know that name. I think you people are misinformed as far as names are concerned.

The CHAIRMAN. Do you know a man called "Chick"?

Mr. LUNDMARK. I do.

The CHAIRMAN. What is his last name?

Mr. LUNDMARK. Winewriter. We come from the same town, two miles apart.

The CHAIRMAN. Does he work in the Government Printing Office? How do you spell his last name?

Mr. LUNDMARK. W-i-n-e-w-r-i-t-e-r.

The CHAIRMAN. Has Mr. Winewriter ever been a runner for you?

Mr. LUNDMARK. I decline to answer that question because it might incriminate me.

The CHAIRMAN. Does William Dorsey work under you?

Mr. LUNDMARK. I decline to answer that question as it might incriminate me.

The CHAIRMAN. The question was: Does Dorsey work under you in the Government Printing Office?

Mr. LUNDMARK. I don't think William Dorsey works in the printing office any more. I think he has retired on disability.

The CHAIRMAN. Does Dorsey now act as a runner for you?

Mr. LUNDMARK. I decline to answer that question as it might incriminate me.

The CHAIRMAN. William Jasnowsky. Does he work in the printing office?

Mr. LUNDMARK. He does that.

The CHAIRMAN. Does he work under you?

Mr. LUNDMARK. I decline to answer that question as it might incriminate me.

The CHAIRMAN. Does Jasnowsky as of now act as a runner for you in connection with bookmaking?

Mr. LUNDMARK. I decline to answer that question because it might incriminate me.

The CHAIRMAN. Thank you very much.

#### TESTIMONY OF EARL CRAGG

The CHAIRMAN. Will you stand and raise your right hand, please?

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRAGG. I do.

Mr. LA VENIA. Mr. Cragg, what is your title?

Mr. CRAGG. Assistant printing cost technician.

Mr. LA VENIA. In the last ten days have you been supervising the removal of certain material in open shelves in a file room near the computing section?

Mr. CRAGG. The men doing this work have been under my supervision.

Mr. LA VENIA. Who instructed that material to be removed?

Mr. CRAGG. I don't know who gave the original instruction. When Mr. Humphrey left on leave—he was gone over all last week, he told me those men would be engaged in removing this material.

Mr. LA VENIA. What was that material?

Mr. CRAGG. That was material that had been returned from commercial contractors of samples of completed work they had performed.

Mr. LA VENIA. And some of it was lying on open shelves?

Mr. CRAGG. Practically all of it.

Mr. LA VENIA. And some was classified as confidential and restricted?

Mr. CRAGG. Some of it was. They only found five jobs classified confidential. The majority of it was unclassified.

The CHAIRMAN. Was there any secret or top secret work?

Mr. CRAGG. No, no secret work.

Mr. LA VENIA. And those workers were handling material that never came through your section?

Mr. CRAGG. That is right.

The CHAIRMAN. The job was being done for another section?

Mr. CRAGG. That is right.

Mr. LA VENIA. This other section had never cleaned out the shelves?

Mr. CRAGG. That is correct.

Mr. LA VENIA. This material had been lying there from three months down to ten years?

Mr. CRAGG. I think they told me the earliest job found was 1944 and no classified work has been put on the shelves within the last two years.

The CHAIRMAN. So any classified material was more than two years old?

Mr. CRAGG. That is correct.

Mr. LA VENIA. But it has been lying around from 1944 to date?

Mr. CRAGG. That is correct.

Mr. LA VENIA. Who is responsible for that classified material lying around on those shelves?

Mr. CRAGG. Do you mean under whose jurisdiction the file section operated?

Mr. LA VENIA. No, I mean who is responsible for the security of that classified material?

Mr. CRAGG. Well, I am not quite sure. The file section would come under the supervision of the comptroller. I suppose when it comes to his section it is his responsibility.

Mr. LA VENIA. Who has to give the order for the destruction of that classified material?

Mr. CRAGG. Well, I naturally assume the comptroller or his assistant but I suppose the security officer or the assistant security officer could give that order.

Mr. LA VENIA. Who was the security officer?

Mr. CRAGG. The deputy public printer, Mr. Cole.

The CHAIRMAN. Was that material burned or what was done with it?

Mr. CRAGG. The classified material was burned and the unclassified material was baled.

Mr. LA VENIA. Are those men still working on cleaning that up?

Mr. CRAGG. No, sir. The job was finished yesterday.

The CHAIRMAN. About how many pieces of classified material would you say was removed? Just roughly?

Mr. CRAGG. There was twenty tons of material. I wouldn't have a guess on the pieces. That includes unclassified.

The CHAIRMAN. That may be an impossible question. Could you guess how many tons of classified material was removed and burned?

Mr. CRAGG. I asked these men that were engaged in the work what percent they estimated was restricted matter and they said 10 percent.

The CHAIRMAN. That would be about two tons maybe.

Mr. CRAGG. Of course, I am taking their word for their estimate.

The CHAIRMAN. Would anyone in the Government Printing Office have access to that material if they wanted to go over and take a piece of it?

[The witness was not given time to answer this question.]

Mr. LA VENIA. How long have you been working on that floor?

Mr. CRAGG. I have been working on that floor in that particular section since 1931, I believe.

Mr. LA VENIA. Now, this bay that they called the file room, that has an open front. Is that correct?

Mr. CRAGG. Well, it is enclosed by a counter.

Mr. LA VENIA. There is a gate there now?

Mr. CRAGG. Yes, a gate.

Mr. LA VENIA. When was that gate put in?

Mr. CRAGG. I wouldn't want to say exactly but it has been here about two years.

Mr. LA VENIA. In other words, that gate has been there since about 1951?

Mr. CRAGG. I couldn't be sure.

Mr. LA VENIA. From 1944 to 1951, there was no gate?

Mr. CRAGG. That is correct.

Mr. LA VENIA. And the material, therefore, was lying on open shelves since 1944; was lying in an open room without a gate. Is that correct?

Mr. CRAGG. Yes, I think so.

The CHAIRMAN. That room in which that material was stored was not guarded in any way and anybody could walk in?

Mr. CRAGG. The room, I believe, was locked at night. During the day it was open.

Mr. LA VENIA. This is a three walled room, is it not?

Mr. CRAGG. You mean the room we are including, the file room?

Mr. LA VENIA. I mean the so-called file room?

Mr. CRAGG. That is right.

Mr. LA VENIA. And the fourth consists of a gate?

Mr. CRAGG. That is right.

Mr. LA VENIA. And there was no gate there two years ago?

Mr. CRAGG. I can't be sure of the date but I know it has been put up comparatively recently. It may be within the last two years.

Mr. LA VENIA. So it couldn't possibly have been locked, could it?

Mr. CRAGG. You see this adjoins other work rooms and the doors into the work room which the files are a part were locked at night.

The CHAIRMAN. In other words, if I have your testimony in mind, it is this: The stuff might be stored in a room with three walls only, but beyond that would be a room which had a door and a lock on it. Would that be correct?

Mr. CRAGG. Yes. But I know that other people had access to that room at night. Occasionally the Night Planning Division needed to go to the files to get a jacket out.

The CHAIRMAN. As far as you know, anyone in the Government Printing Office was not forbidden the right to go into that room?

Mr. CRAGG. Not to my knowledge.

The CHAIRMAN. So that if you wanted to go into it or anyone else, they naturally could have gone into it?

Mr. CRAGG. There was a change made. Those files used to be on the other side next to the window. Some years ago they were moved back over to their present location.

The CHAIRMAN. That will be all. I will ask you to go over to room 318. We will want you over there in case we have to ask you any questions on this.

Mr. CRAGG. You want me to wait around there?

The CHAIRMAN. Yes.

Mr. CRAGG. Will I be notified when I am excused?

The CHAIRMAN. Yes. Thank you very much.

#### TESTIMONY OF HARRY FALK

The CHAIRMAN. Would you stand and raise your right hand?

In the matter now in hearing before this committee, do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FALK. I do.

Mr. LA VENIA. Mr. Falk, you are the superintendent of the library branch of the Government Printing Office?

Mr. FALK. Yes, sir.

Mr. LA VENIA. At the library branch, do you have or come in contact with any classified matter?

Mr. FALK. No.

Mr. LA VENIA. Now, on August 25th, Tuesday, were you called to a meeting at the main Government Printing Office?

Mr. FALK. Yes.

Mr. LA VENIA. Was that meeting held in Mr. Merold's office?

Mr. FALK. Yes.

Mr. LA VENIA. Were there other conferees there?

Mr. FALK. Yes, about five or six.

Mr. LA VENIA. And at that meeting were you advised that certain employees employed at the main GPO were being transferred to the Library of Congress branch?

Mr. FALK. Yes, sir.

Mr. LA VENIA. Now, who was the chairman of that meeting?

Mr. FALK. Mr. Merold.

Mr. LA VENIA. How much notice did you have of the meeting?

Mr. FALK. About ten minutes.

Mr. LA VENIA. Now, from the conversation in that room, what was the reason understood by you for the transfer of these people to the library branch?

Mr. FALK. Well, they had been accused of being Communists. I mean they were on that list of individuals that have been marked as Communists.

Mr. LA VENIA. Now, from Mr. Merold's remarks what were any other reasons for doing it at this time?

Mr. FALK. Well, my impression was they wanted to get those men out of the main office where they had security work before Mr. Cole testified this Saturday. They wanted to get all that cleared out before.

The CHAIRMAN. May I ask you this: Did you work in the Government Printing Office for a while?

Mr. FALK. Yes, I started out as assistant foreman of the Patent Section; then foreman of the Patent Section; foreman of the Linotype Section; then transferred over to the library. Back in 1936 I went to the library.

The CHAIRMAN. You are the supervisor over there now?

Mr. FALK. Yes, sir.

The CHAIRMAN. These men won't have access to classified material now, will they?

Mr. FALK. No, sir.

The CHAIRMAN. I think that was a very good move that was made.

From your experience in the printing office, would you say anyone working there, if he wanted to, could have gotten hold of and read secret and any other classified material?

Mr. FALK. You mean any member of the organization?

The CHAIRMAN. Yes.

Mr. FALK. Well, I don't think so. I think they had a select few security men, as far as I know. That was 1936.

The CHAIRMAN. I see you wouldn't be in any position to know what happened?

Mr. FALK. I couldn't say truthfully.

The CHAIRMAN. I will read the names of the people transferred to your department: Samuel Bernstein; Roscoe C. Everhardt; Samuel C. Jones; Seymour Mintz; Joseph E. Francis; M. B. Sayles; David W. Douglas; Francis L. Russo; Mrs. Nannie B. Gray; Miss Fannie Louise Madella; Isadore Kornfield; Milton S. Tooter; Arthur W. Bowerman; Genaro L. D'Antuono; Luciano Rodriguez.

Mr. FALK. That is right.

The CHAIRMAN. Is that the complete list as far as you know?

Mr. FALK. That is right.

The CHAIRMAN. These were the people transferred to your department so they would not have access to any classified material?

Mr. FALK. The reason given for the transfer, they were accused of being Communists or had some Communist connections, which

works a hardship on the loyal employees. We have a very small branch. The loyal man has to suffer for that type of worker.

The CHAIRMAN. This could mean some good loyal employee is bumped out of a job?

Mr. FALK. They are transferred to the main office and whenever a vacancy occurs they would be given a chance to come back.

The CHAIRMAN. You transferred some of your good, trusted employees to the Government Printing Office?

Mr. FALK. It worked quite a hardship on me.

The CHAIRMAN. I don't think we will need you any further. If you care to come over to 318 and listen to the testimony of any witnesses, you may do so.

Mr. FALK. Thank you very much.

[Whereupon the hearing adjourned at 10:30 a.m.]



## **STOCKPILING AND METAL PROGRAM**

[EDITOR'S NOTE.—In July 1953, the subcommittee suspended its investigation of stockpiling of strategic materials after the Senate Committee on Interior and Insular Affairs created a special subcommittee on Minerals, Materials, and Fuels, chaired by Senator George W. Malone, and authorized it to conduct a full investigation into stockpiling of strategic materials. Senator McCarthy agreed to transfer all of his subcommittee's files relating to stockpiling to the Interior subcommittee. Robert C. Miller testified publicly before the Interior subcommittee on September 22, 1954.]

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**FRIDAY, AUGUST 21, 1953**

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Los Angeles, California*

The subcommittee met at 11:30 a.m. in chambers of Court Room 9, Federal Building, Los Angeles, California, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

### **STATEMENT OF ROBERT C. MILLER, SOUTHWESTERN ENGINEERING COMPANY, 4300 SOUTH SANTA FE AVENUE, VERNON, CALIFORNIA**

The CHAIRMAN. We wanted an informal discussion. We have been going into the question of the extent to which the foreign buying of the stockpile has adversely affected the mining interests in this country.

Our committee has been studying this for about six months, or George Malone's subcommittee, so we are not going to hold any public hearings by our committee.

Mr. MILLER. I understood he was here.

The CHAIRMAN. We told him we would try to pick up any information we could for him.

Mr. MILLER. I don't know whether you know it or not, but we are doing a research program for what was DMPA by Tom Lyon and Howard Young for sampling all the major manganese deposits in the country. Obviously, we are interested in the source of manganese, at least during all-out war.

The CHAIRMAN. Have you been concerning yourself solely with manganese or have you been concerned with the situation so far as lead and zinc are concerned?

Mr. MILLER. No, they are pretty well taken care of through their own groups, on those things. We designed and built the one manganese plant built in the country for the last many years, up at the Three Kids Mine, just out of Henderson, Nevada.

I am going East on Tuesday to meet with the board of directors of Chemetals Company in New York, to finish up the last of the rigmarole so they will give a royalty agreement to the government to build a plant for the production of manganese in this country by chemical means.

The CHAIRMAN. Would you be in any position to give this committee or Senator Malone's committee any information as to the amount of money we have spent abroad to develop manganese sources?

Mr. MILLER. We know that—let me put it this way: It is rumored, and it could be very easily developed from DMPA, through their foreign divisions they provided some sixty-five million dollars for the development of manganese in Brazil for the Bethlehem Company. Other sources I cannot tell. There are probably other locations where manganese has been provided for, for foreign imports.

The CHAIRMAN. I will tell you what has concerned us greatly. I will give this to you so you will have in mind what information we are looking for.

We have gotten a great amount of information to the effect, at least the old administration—what changes have been made in the last few months I don't know—took the position if they could purchase metals abroad they would then be conserving the metals in the ground in this country, and apparently overlooked the fact that a mine that is open and producing, if it is closed because you are buying from abroad, floods, and, as you of course know, it isn't reclaimable.

Mr. MILLER. A lot of work is entailed to get it going.

The CHAIRMAN. It isn't as simple as some of our experts in Washington told it was to conserve the ground.

The other complaint we have had is on spending money to develop mines. Take the manganese mines in this country, for instance, we have spent money in the foreign countries to develop the mines over there in areas that wouldn't be accessible to us in case of all-out war with Russia.

Mr. MILLER. Assuming the effectiveness of the submarine warfare.

The CHAIRMAN. If the policy has been abandoned, as it would appear on the surface, it is the feeling, I think, of Senator Malone and myself, anyway, while nothing of any great benefit will develop, and by showing up those past errors it could be very beneficial in getting the new administration to change the course of things.

Mr. MILLER. May we stick strictly to manganese then for a little bit?

The CHAIRMAN. Yes.

Mr. MILLER. Because I am sort of a Don Quixote for manganese. I fought the battle of manganese for over three years.

Jim Boyd said we would be drafted to put in a plant at Denman for the production of manganese, and that is a bunch of tripe. I don't know how far this record goes [indicating].

The CHAIRMAN. Anything you want to say off the record we will go off the record for it. Otherwise, this is strictly an executive session. These records are not going to the press.

Mr. MILLER. I would like to say this off the record, and then if you want to put it in the record, do so.

The CHAIRMAN. All right. This is strictly an executive session. Only a few people will get this record and they are the members of George Malone's committee and his staff, for their information.

If after you cover this you want to take it off the record, we will be glad to do it.

Mr. MILLER. Throughout this period I was conferring and I would go down about every morning about eight o'clock and review the situation, and then get Jim Boyd and Clair Engle and Mittendorf on the carpet, and kept pounding on them until finally it became so apparent that they were not doing anything, that DMA was finally abandoned and DMPA was set up in its stead; taken out of the Department of Interior and put into the department of GSA.

Then they brought in Howard Young and brought in Tom Lyon, and some of the rest of them, all because manganese is the most vital thing for our defense effort in the whole book. Without manganese, no steel.

Our stockpiling program has been set up on the basis that we have approximately one year's supply of manganese on the present demand of steel. An all-out war and the demand for steel will go up instead of down. And we have no know-how to produce and upgrade our local large sources of manganese.

Secondly, I question the possibility of producing manganese in this country except by a high subsidizing from domestic ores by a price that will be competitive with high grade ores that come from Brazil, Africa or India.

To complain that our ores in Aroostook, Maine, will average about 10 percent—we have a man we are sending up about the 5th of September to resample the whole field. The largest deposit in the country is at Artillery Peak in Arizona. Adjacent to that we propose to build the little Chemetals (Chemical Construction Company Process) plant. There is a deposit at Cuyama. That lies under an overburden of roughly 150 feet of nonproductive material. It is expensive to get into. It is low grade, only about 5 percent manganese. We can take either Cuyama or Aroostook by some simple means, and bring them from 5 percent to 30 percent or 25 percent.

So you see the problem is to try to upgrade that to a point where it will be plus 45 percent manganese, in competition with ores which may come from Brazil or Africa, which are, as a nugget from the ground, with cheap labor, running 45 to 55 percent manganese. All they have to do is dig it out and get it to the seaboard coast and put it on the cars or boats and get it over. It is a very difficult economic thing to do, to produce that in this country.

But still we should have the know-how. And my fight has been to get the means. I went back and had a long session with Mr. Mansure before Tom Lyon left, and Mansure has agreed he will finance the deal.

I don't know whether you have met John Morgan in ODM. He is the financial boy that parses out the dollars. He has agreed the money is available out of the money appropriated, three million dollars still left, to go on with this program of research. That is why I went back, will go back the next trip to try to get something done on that.

I will need your support. I will need the support of everybody if they don't come through and do it, because somewhere it must be done.

The CHAIRMAN. It would seem a very urgent thing to be done.

Mr. MILLER. From the time we start until we have determined what can be done sufficiently to build a plant will be at least two years. To build plants, let's say, to supply our needs, will take two years more. Therefore, we have four years from now, if we start in now, before we can have manganese in quantities in this country to supply our needs.

The CHAIRMAN. How about Russia's source?

Mr. MILLER. It has been cut off entirely; that is the information I have.

The CHAIRMAN. In other words, they don't have any good sources within Russia?

Mr. MILLER. Yes. If you will check back in the records, the major part of our requirement came from Russia prior to this condition.

The CHAIRMAN. My question is: does Russia have sufficient manganese?

Mr. MILLER. Yes, definitely.

The CHAIRMAN. In case of an all-out war, Russia on her own continent would have sufficient manganese?

Mr. MILLER. Yes.

The CHAIRMAN. Rather a high grade, I understand.

Mr. MILLER. I have not gone into it specifically, so my answers are based more on hearsay knowledge than actual fact. But definitely a great quantity is coming from Russia, or was coming from Russia before; it is the Siberian side of it.

The CHAIRMAN. As long as we keep the sea lanes open to Brazil we have no serious problem?

Mr. MILLER. We are all right.

The CHAIRMAN. So far as other metals, lead and zinc, are concerned, I understand you don't know too much about that situation.

Mr. MILLER. I don't know enough to be able to offer any considerable information. I would like to say one thing, if I can, for the record, that I think it would warrant an impartial committee—that is, non-government committee—who would get into it and serve time in determining what the stockpile objectives should be for all the strategic metals and minerals.

That has been developed in the most haphazard manner in the majority of instances.

The CHAIRMAN. The Munitions Board is supposed to do that.

Mr. MILLER. The Munitions Board has had to depend on information supplied them by the Bureau of Mines. I think the Bureau of Mines isn't worth the powder to blow it up.

I served on the Munitions Board Industrial Committee on Graphite. My own son and another chap and I operate the only graphite plant in the United States. And I had a chance, first-hand chance to see this, and the only data we had on what they required in this country was what the three importers told them, until I got myself appointed on the committee.

I sent out seventy letters to the trade, to get information on lubricating graphite. Fifty-three or fifty-four replies were received. They went directly to the Munitions Board and, incidentally, I

would like to speak very highly of Dr. Timothy Mays who is in charge of that. He is a very conscientious and capable person, if he is given rope enough.

The replies we got absolutely made the report given by the importers as plain, straight, unadulterated lies.

I am glad to put it in the record. By God, I have told them it to their faces. And if that happens in graphite, I think you will find it will happen in many other things, since this started in '47 for the stockpile objective in graphite, and the demand is practically three times as much now as in 1947. Therefore, there should be a new reviewing of it.

If I could leave that thought with you, I have done a lot of good for the cause. If that can be instigated as a part of the reorganization plan—

The CHAIRMAN. Let me say that many of us feel that the stockpile, the entire program is very, very brainlessly handled. For example, we had before us—I can't recall his name now—a man who had to do with the stockpiling of feathers and other things. I think he handles about two or three hundred million dollars a year. A very nice follow.

But I wouldn't trust him. I don't mean he was stealing, but I wouldn't trust his judgment to go to the store and buy groceries unless he had everything written out on a piece of paper. And he is handling the stockpile of about 250 million dollars worth of material a year.

Unfortunately, everything is classified so top secret that the incompetence and inefficiency is hidden sometimes.

Mr. MILLER. That is right. I have been able to pry into it and under it by getting closely acquainted with them, to find out what is going on in graphite.

The CHAIRMAN. Off the record.

[Discussion off the record.]

The CHAIRMAN. On the record.

Mr. MILLER. This again should come, from DMPA, but DMPA doesn't exist anymore. It has been kicked out and it is all GSA. Now, our report was—do you want me to go back and review it?

The CHAIRMAN. Yes.

Mr. MILLER. In the first place, we were called in by the Westmoreland Steel Company, they called it in the beginning. That name was changed to Westmoreland Manganese Company. There were some five or six promoters in the deal.

They were represented by Knox, Lishman & Maxwell of Washington.

We, after having sampled the ore and taken our own samples—we wouldn't trust anybody else's samples—came to the conclusion that phosphorus, silica and aluminum and iron were all too high to make it commercially; the quantity of ore was very spotted and not adequate, and the project should not go ahead.

After so reporting, we were dropped like a hot potato. They left owing us about \$10,000.00, which they later paid when they got the government money.

Following that they sent samples to American Cyanamide, who reported what could be done, based on those samples. We have definite information, because their man, Mr. McBride, in a moment

of relaxation told James Wroth, a consultant for DMPA and P. Jack Lowe, who was sampling ore there, that the sample was "salted."

I am putting these in because these are definite facts. I do not love those guys.

The CHAIRMAN. I think the record should show that also it was against your interest to report adversely, because unless they had gotten the government money you would have been out your fees. In other words, it would have been to your interest to have given them a favorable report.

Mr. MILLER. That is right. Secondly, if DMPA did it we would have done the engineering and construction of the plant, which was not done, which we do not do; others did it.

When there was doubt about it as a part of our research program, we were assigned the task of going back and resampling the deposits and making a specific report stating what our opinion was, so far as the whole project was concerned.

That report was supplied about the 20th of July to DMPA and copies were sent to all members of the Manganese Panel of National Research Council, with our specific recommendation that the project be abandoned, liquidated and sold off.

The CHAIRMAN. I assume copies of those reports would be available?

Mr. MILLER. Unquestionably. We run them through a multilith at the request of the DMPA, and we sent twelve copies out of our own place. That was done in about four days.

The CHAIRMAN. I wonder if we could impose on you. This sounds like an extremely bad situation, it sounds like we are wasting a lot of money. Could you possibly go through your file and give us a copy of the various reports and copies you had on it?

Mr. MILLER. Wouldn't it be fairer to let you ask first and to get it from GSA? They have ample of everything to give it to you. I would rather have it come from them.

We have no contractual relationship with you fellows; we have with them. They are the government agency that should supply it to you. I think we would be correct in not giving it to you.

The CHAIRMAN. If you prefer. You understand the committee has whatever right it wants to subpoena any records of any company.

Mr. MILLER. There is no question about that.

The CHAIRMAN. We don't want to embarrass you by doing that, if you object.

Mr. MILLER. We have further dealings with them and we have got a year more of research to conduct under that program, and I do not wish to put myself in the position of not having played good ball with them.

The CHAIRMAN. We will make it appear as if you were reluctant as all hell.

Mr. MILLER. I am, except on the basis of absolute necessity for some way of getting manganese, if we need it in all-out war; that is vital.

The CHAIRMAN. One of our big difficulties in getting to the bottom of a vast amount of corruption, and what is just as important, inefficiency, is that so many people are tied up with various branches of the government and doing work for them, and they hesitate giving us information because they fear it may actually

enter into their financial realm and cause them to lose their contracts, and thus like.

For that reason we appreciate very much that someone like you will come in and give us the facts freely. I think it is imperative we get the facts. Otherwise, we are going to have a war and find out all our money has been thrown down a lot of dry holes.

Mr. MILLER. I am not going to call names, but I am going to talk in generalities. The responsibility throughout this whole period with some representatives—I should say perhaps were, but there still are in many cases a condition in which the large companies, who are the importers and producers of manganese have final decisions as to what should be done, on domestic activities. Now, the two are not compatible.

I think this: That that should be given very careful consideration in the organization of the new government, to see to it that the people in positions of responsibility, formulating detailed policy, should not have an axe to grind on the other side of the fence.

The CHAIRMAN. I think you have laid your finger on it, on these very bad spots in this whole picture, right there.

Mr. MILLER. Take the Manganese panel, five members of the panel are members of either—well, members of the four large producers of manganese, Novino Bros., Carbon & Carbide Company, Bethlehem Corporation. I have nothing against them. We do business with all of them. Their actions are only natural, but if it is vital to our government we should not consider the economic advantages of those companies in deciding what we should do for our national defense.

The CHAIRMAN. In other words, if I am an importer of a certain product and I sit on the board and decide whether it should be purchased from abroad or whether we should develop it from domestic sources—

Mr. MILLER. That is right.

The CHAIRMAN [continuing]. No matter how honest I might think I could be, I just couldn't help but being unconsciously swayed?

Mr. MILLER. That is pure human nature. I am not saying that I would like to have this as part of the record as criticism. They have freely loaned their people, but they have also protected their interests.

The CHAIRMAN. Let me ask you this: Do you have any information of any political influence used on this Westmoreland project?

Mr. MILLER. Yes. All you have to do is go back and look at the record. I don't know whether it was in Mills' office or the two congressmen's offices, that there was a meeting at which Mr. Young, Mr. Lyon, George Holderer, who was head of the Ferro Alloy Division, were all called up, and while they were not told they should do something there was a definite heat, psychological heat applied to quick action. Otherwise, I doubt if the project would have gone ahead as abruptly and as quickly as it did.

The CHAIRMAN. It seems obvious, where you have a reliable firm, such as yours, that would report the inadvisability of building a plant there, doing that against your own interests, where it would be to your own financial interest to recommend the construction and then to suddenly turn around and build it, that it indicates some pressure.

Mr. MILLER. Let me clarify that for the benefit of those involved in it.

Our negative report was directly to the owners of the property and who were promoting the project; It was not to the government. The government did not have the advantage of knowing what our report was until after the thing had moved into action and the money had been appropriated.

Then I went directly to George Holderer and the others who were active in it, and told them what I had found and that I thought they should give careful consideration to it. By that time I had become acquainted with them.

Then they began to get scared and they got the Bureau of Mines at Batesville to go over and study the thing over. The Bureau of Mines backed us up completely.

The CHAIRMAN. At any time did you report directly to the government on that project?

Mr. MILLER. Only until we were officially authorized to make a review of the whole situation and make our recommendation, which was completed only in mid-July of this year.

The CHAIRMAN. What did you recommend, that it be abandoned?

Mr. MILLER. Yes.

The CHAIRMAN. Do you know what they are doing on it now?

Mr. MILLER. No, I do not. I know the last instructions were given to Tom Lyon by Mansure to the effect that steps be taken to proceed to do something about it. Last week we had a copy of a report which they had—is it William Birch?

Mr. RICHARD MILLER. Bruce Williams.

Mr. MILLER. Bruce Williams, a copy of the report was sent to us and I turned it over to our men who wired to Sherman of GSA. He had asked us to analyze the differences between this report and ours. The first thing we figured out, we figured out that there was an arithmetical error in the copied report that completely changed the picture of the whole thing. We sent that back and said we didn't think there was any further review necessary until they corrected the arithmetical error.

The CHAIRMAN. I wonder why you weren't called upon to give a report to the government before the money was spent.

Mr. MILLER. They had their own staff and had it lined up.

The CHAIRMAN. In other words, the promoters themselves, after they found out you would report adversely, hired a different firm that give a favorable report?

Mr. MILLER. They reported on the samples supplied them, in all honesty. That is American Cyanamide. They are considered reliable on that. They reported favorably on the samples they received.

Mr. RICHARD MILLER. They picked the nuggets up.

Mr. MILLER. They averaged 10 percent, and the run of the mill only run about 3 or 4 percent.

The CHAIRMAN. Would it be a bit unusual, if somebody hired you to analyze a situation such or that, to rely upon samples that someone gave you? Wouldn't you normally send a man out in the field?

Mr. MILLER. No. In this particular case, being gun shy, we insisted on doing our own sampling.

Take for example Mr. Williston sitting in the other room, he is head of the Cordero Mining Company, and he sends samples to us every little while and asks us to report back.

We sampled manganese down at Baja California for him and ran tests on it and couldn't get results that were satisfactory and told him so.

Normally, Arthur Bunker of California Molybdenum Company, or the Molybdenum Company of America, and people of that sorts will simply send their samples in and we give them a run-of-the-mill report on it.

The CHAIRMAN. I think that will be all, Mr. Miller.

[Whereupon, at twelve o'clock noon, Friday, August 21, 1953, an indefinite recess was taken.]



## COMMUNIST INFILTRATION AMONG ARMY CIVILIAN WORKERS

[EDITOR'S NOTE.—Following this executive session, Senator McCarthy told reporters that the subcommittee had uncovered two civilian employees of the Army Quartermaster's Corps and a civilian security guard with admitted Communist ties, whose jobs enabled them to keep track of troop movements to Korea and other troubled areas. "If the picture continues to develop as it started out today, it would appear to be a very serious threat to military security," the chairman asserted. Although he gave no names, he called one of them "Miss Q." At the public hearing on September 8, Senator McCarthy identified "Miss Q" as Doris Walters Powell. She had been a secretary for the *People's Voice* prior to taking a clerical position with the army. New York City Council Member Adam Clayton Powell, Jr., (not related to Doris Powell) had started the *People's Voice* in 1942, to further his political career. Doxey Wilkerson took over much of the paper's management after Powell was elected to Congress in 1944. Complaining that he had turned the *People's Voice* into the "Lenox Avenue edition of the *Daily Worker*," Representative Powell fired Wilkerson and disassociated himself from the paper in 1946.

During her next testimony in executive session, on September 1, Doris Walters Powell refused to answer questions about membership in the Communist party and was suspended from her job with the Quartermasters Corps. Her attorney, Joseph C. Morris, denied that she had ever taken out membership in the Communist party or considered herself a Communist, but the subcommittee's annual report identified her as "an important figure in the Communist movement in New York, and . . . part-time secretary to Doxey Wilkerson, a key Communist leader who has served on the national committee of the Communist party."

Marvel Jackson Cooke (1903–2000), the assistant managing editor of the *People's Voice* and a member of the Communist party, testified before the subcommittee on September 1. In an oral history to the Washington Press Club Foundation in 1989, Cooke later elaborated: "There was a young woman, who was a red-baiter, who worked in the business office of the *People's Voice*. Anytime we would have a union meeting and a progressive motion came before the floor, you would hear this sibilant whisper, 'CP! CP! CP!' I hated that woman! Her name was Doris Walters. . . . Not even a good trade unionist. . . . And certainly not a Communist. She had been fired as a red aide because she worked at the *People's Voice*, where Doxey Wilkerson, a known Communist, was employed. She lost her job because she had worked at the *People's Voice*! I mean, the army job."

Doris Walters Powell, Francesco Palmiero (1908–1971), and Albert E. Feldman did not testify in public.]

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MONDAY, AUGUST 31, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
New York, NY.

The subcommittee met at 10:30 a.m. pursuant to recess, in room 126, Federal Court House, Foley Square, New York, New York, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; and David Schine, chief consultant.

Senator MCCARTHY. The hearing will come to order.

Do you solemnly swear the testimony you will give to the subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. POWELL. I do.

**TESTIMONY OF DORIS WALTERS POWELL (ACCOMPANIED BY  
HER ATTORNEY, JOSEPH C. MORRIS)**

The CHAIRMAN. Mr. Morris, I don't think you have ever appeared before the committee. The rules are that your client can discuss anything she cares to with you at any time. At any time during the hearing if she is asked a question she may consult with you. If you want a private conference with her we will arrange a room so you can have it. The only difference between this and the usual court room procedure is that we do not allow counsel to take part in the proceedings. If he wants anything put into the record, his client will have to put it in.

Let me say this, Mrs. Powell. I think in fairness to you we should give you this information. I am telling you this before you start to testify. One, we have information of Communist party membership on your part. Keep that in mind when you are asked a question. Number two, make sure you understand the question. If there is any doubt in your mind about the question, just don't answer until you are sure you understand the question. While I do not normally advise a client when they have lawyers here, I would like to give you this advice which we normally give a witness appearing before the committee.

We have no desire at all to put anyone in the position in which they end up guilty of perjury. A number of people have come into the committee guilty of no crime except membership of the Communist party, which legally, you know, is not a crime unless the party is using force or violence in the overthrowing of the government. In the end, when they leave the committee room they are guilty of perjury. If the answer tends to incriminate you, don't answer. Tell the truth or don't answer.

Mr. COHN. May we have your full name?

Mrs. POWELL. Doris Walters Powell

Mr. COHN. Where do you reside?

Mrs. POWELL. 2541 100th Street, East Elmhurst, Long Island.

Mr. COHN. Do you work?

Mrs. POWELL. I am on maternal leave from the government.

Mr. COHN. Where did you work? What was your regular position?

Mrs. POWELL. U.S. War Department.

Mr. COHN. And where are you stationed?

Mrs. POWELL. New York Quartermaster, 111 East Sixteenth Street, New York.

Mr. COHN. For how long a period of time were you employed in that particular branch of service?

Mrs. POWELL. I think from 1950.

Mr. COHN. You went to work in 1950?

Mrs. POWELL. Yes.

Mr. COHN. Did you ever work for the government before that?

Mrs. POWELL. Yes, I have.

Mr. COHN. Where?

Mrs. POWELL. In U.S. New York War Production Board, I think it was. 1942.

Mr. COHN. And for how long a period of time?

Mrs. POWELL. About eight months.

Mr. COHN. What did you do between then and the time you went to work for the army?

Mrs. POWELL. I went to Columbia Broadcasting System.

Mr. COHN. What did you do there?

Mrs. POWELL. Secretary.

Mr. COHN. For whom?

Mrs. POWELL. Dr. Wibe.

Mr. COHN. How do you spell that?

Mrs. POWELL. W-i-b-e.

Mr. COHN. What department?

Mrs. POWELL. Research department.

Mr. COHN. And from there?

Mrs. POWELL. The *People's Voice*. Paul Buchanan Publishing Company.

Mr. COHN. You said the *People's Voice*?

Mrs. POWELL. That's right.

Mr. COHN. What did you do between the time you were in the *People's Voice* and the time you went to work for the army?

Mrs. POWELL. Before the *People's Voice*? I went from the *People's Voice* to Columbia Broadcasting System; from Columbia Broadcasting System to the War Department, Governor's Island. From Governor's Island to the War Department at 111 East Sixteenth Street.

Mr. COHN. You mean the Defense Department?

Mrs. POWELL. That's right.

Mr. COHN. At Governor's Island where were you assigned exactly?

Mrs. POWELL. Post Engineers.

Mr. COHN. Who was your immediate supervisor?

Mrs. POWELL. Mr. Groshans.

Mr. COHN. What was the nature of your work there?

Mrs. POWELL. Clerk-typist-title.

Mr. COHN. When were you transferred to the army in New York?

Mrs. POWELL. I think it was 1950, approximately 1950.

Mr. COHN. You were transferred to New York Quartermaster and have been there ever since?

Mrs. POWELL. Yes.

Mr. COHN. What is your salary?

Mrs. POWELL. \$3,175.

Mr. COHN. What type work do you do there?

Mrs. POWELL. I am now a processor.

Mr. COHN. What is that?

Mrs. POWELL. I process accounts that come in to be paid by the government dealing with army food.

Mr. COHN. And the amounts that had been purchased?

Mrs. POWELL. Through invoices.

Mr. COHN. You check invoices of purchases for procurement?

Mrs. POWELL. Procurement-clerk is my title.

Mr. COHN. What did you do just before that?

Mrs. POWELL. I—

Mr. COHN. What type work did you do before you worked on processing of these invoices?

Mrs. POWELL. Secretarial.

Mr. COHN. For whom did you act as secretary?

Mrs. POWELL. Major Hunter.

Mr. COHN. What were his duties?

Mrs. POWELL. Well, I had to get myself together. Well, he was a buyer—I am thinking of government terms.

Mr. COHN. That's all right. For whom else did you act as secretary?

The CHAIRMAN. What kind of stuff did he buy?

Mrs. POWELL. Foods. This is a market center for the government.

The CHAIRMAN. Do they buy anything besides food?

Mrs. POWELL. No.

The CHAIRMAN. When you examined invoices you would know whether the food was shipped to Alaska or Korea?

Mrs. POWELL. I wouldn't know the destination. I was only buying from the various merchants in the city.

The CHAIRMAN. Did you have any knowledge of where the food was being shipped.

Mrs. POWELL. No.

The CHAIRMAN. Are you ever in a position to know where—were you ever in a position to know where the food was being shipped?

Mrs. POWELL. To the various camps, yes, in the country.

The CHAIRMAN. You would know how much was being shipped to Camp McCoy, let us say, and how much to another camp?

Mrs. POWELL. Yes, I would.

The CHAIRMAN. And if the food was being shipped to a camp in Korea, you would know how much food was being shipped.

Mrs. POWELL. Excuse me. That was the property officer, his title.

The CHAIRMAN. You would know the amount of hams etcetera going to Alaska, if the food was going to be shipped there?

Mrs. POWELL. Yes.

The CHAIRMAN. You didn't have anything to do with determining how much food was to be purchased?

Mrs. POWELL. No.

The CHAIRMAN. You merely handled the invoices and knew how many tons of food, or pieces were being shipped to a particular camp?

Mrs. POWELL. That's right.

The CHAIRMAN. And then you were in a position to have rather a complete knowledge of the amounts of food being purchased and the destination of the ship?

Mrs. POWELL. That is correct.

Mr. COHN. When you were on Governor's Island, what did you do exactly?

Mrs. POWELL. Well, I handled lot cards to determine the materials that are in stock. Stock record cards.

Mr. COHN. What kind of materials?

Mrs. POWELL. Well. Think regarding plumbing, utilities.

Mr. COHN. Where were they in stock; for what?

Mrs. POWELL. For repairs on the island.

Mr. COHN. Strictly on the island?

Mrs. POWELL. Yes.

Mr. COHN. Was there anything else you did on Governor's Island?

Mrs. POWELL. No, I didn't.

Mr. COHN. Anything else?

Mrs. POWELL. I worked in personnel, handled personnel records.

Mr. COHN. For the First Army?

Mrs. POWELL. Yes.

Mr. COHN. Exactly what did you do with the references to the personnel records?

Mrs. POWELL. I am trying to be correct now. Just my particular branch.

Mr. COHN. Did that cover military and civilians?

Mr. POWELL. I can't remember that. It was an administrative office.

Mr. COHN. Did these personnel records cover military and civilian personnel?

Mrs. POWELL. Just civilian personnel.

Mr. COHN. What did you do?

Mrs. POWELL. Handle the——

Mr. COHN. Handle the records or what?

Mrs. POWELL. No, I am not too sure. That is when I first went there.

Mr. COHN. Well, let me ask you this: In the time you were working with the Defense Department have you ever handled any material which is not public material?

Mrs. POWELL. Always public.

Mr. COHN. Do you think these personnel records are public material?

Mrs. POWELL. No. Not at all. I wouldn't say public.

Mr. COHN. You don't want to say you handled public material?

Mrs. POWELL. I see what you mean, I misunderstood.

The CHAIRMAN. In regard to these personnel records, did you type up the record, did you file the record, did you examine the record?

Mrs. POWELL. No.

The CHAIRMAN. What did you have to do with the personnel records? Just tell it in your own language the best you can.

Mrs. POWELL. I didn't handle personnel work. Really administrative work.

The CHAIRMAN. What do you mean?

Mrs. POWELL. This is in 1950. I am trying to recall.

The CHAIRMAN. Just describe a typical day's work. What did you do all day long of a typical day?

Mrs. POWELL. It is so vague in my mind right now. Well, I worked with statistics. There was various types of work and I just can't——

The CHAIRMAN. Would you give us—I don't want you to testify to anything you can't remember. I realize some people's memories are better than others. Did the major dictate to you? Would you start filing? Who would give you your work? What would you do?

Mrs. POWELL. My immediate supervisor, Mr. Groshans—I can't recall what I really did do. It was in the line of administrative work.

The CHAIRMAN. That doesn't help me unless you give me some idea of what kind of administrative work. Did you type?

Mrs. POWELL. I typed, filed—statistical work.

The CHAIRMAN. Who would give you the statistical work? Would someone dictate that to you?

Mrs. POWELL. I remember working with Mr. Pollack.

The CHAIRMAN. With what did the statistics have to do?

Mrs. POWELL. I can't recall, really.

Mr. COHN. Are you a—

The CHAIRMAN. Do you handle anything that is marked either restricted, confidential, or secret?

Mrs. POWELL. No, I didn't.

The CHAIRMAN. How about the food orders, weren't they classified confidential—shipments of food?

Mrs. POWELL. Yes, that is confidential.

The CHAIRMAN. That is confidential?

Mrs. POWELL. Yes. I was confused because I thought you were still referring to Governor's Island.

The CHAIRMAN. Be sure you answer the question. For your own information—while I have never met you before we do have evidence here, strong evidence of activities on your part—of Communist activities. You be sure you answer these questions. We have no interest at all in having you guilty of perjury. Don't answer unless you know what you are answering.

You have answered you had confidential work. Let us put it this way. The food orders and the destination are stamped as confidential.

Mrs. POWELL. I imagine it is confidential.

The CHAIRMAN. Actually it is stamped or marked secret or confidential. Didn't you see the label secret or confidential?

Mrs. POWELL. I never saw that. It hasn't been on the work I have ever handled.

The CHAIRMAN. Did you ever see anything in your department marked secret or confidential?

Mrs. POWELL. Yes, confidential, I have.

The CHAIRMAN. How about secret?

Mrs. POWELL. No, I haven't. I never saw that.

The CHAIRMAN. A lot of stuff was marked confidential?

Mrs. POWELL. The work I handled, I presume?

The CHAIRMAN. Is there any restriction against your seeing anything else that goes on in your office?

Mrs. POWELL. No.

The CHAIRMAN. You have free access to the entire office?

Mrs. POWELL. Yes.

Mr. COHN. Did you ever attend the Commercial High School?

Mrs. POWELL. I graduated Central Commercial High School.

Mr. COHN. Did you attend City College?

Mrs. POWELL. Yes, I did.

Mr. COHN. What years?

Mrs. POWELL. I am not sure. Approximately 1943–1944.

Mr. COHN. Now, how many years did you attend City College?

Mrs. POWELL. I would say—I would have to check my records. I don't have the exact dates.

The CHAIRMAN. One or two years?

Mrs. POWELL. Then I went to Hunter College also.

The CHAIRMAN. Do you know if it was more than one year?

Mrs. POWELL. Yes.

The CHAIRMAN. More than two years?

Mrs. POWELL. Yes.

The CHAIRMAN. More than three years?

Mrs. POWELL. No.

The CHAIRMAN. Between two and three years?

Mrs. POWELL. Yes.

The CHAIRMAN. Then you went to Hunter College?

Mrs. POWELL. Yes.

The CHAIRMAN. How many years at Hunter?

Mrs. POWELL. One year.

The CHAIRMAN. Did you graduate from Hunter?

Mrs. POWELL. No, I didn't.

The CHAIRMAN. What courses did you take at City College? No courses in memory.

Mrs. POWELL. Languages and business subjects.

The CHAIRMAN. How about Hunter College?

Mrs. POWELL. Psychology.

Mr. COHN. What languages did you study at City College?

Mrs. POWELL. Spanish.

Mr. COHN. Have you ever been a member of the Communist party?

Mrs. POWELL. I don't feel as though I have been—not to my knowledge.

Mr. COHN. You don't feel—

Mrs. POWELL. Not to my knowledge.

Mr. COHN. Do you think you might have been without your knowing about it?

The CHAIRMAN. Mr. Morris, I want to advise you that—so you can properly advise your client—that we have the positive evidence—that is correct, Roy, isn't it—of Communist activities and Communist membership. I have no interest at all in having this woman be a perjury case. I just want you to know that so you can properly advise her what to do. She is an intelligent girl. She went through high school with high scholastic standings and had several years of college so she should first intelligently advise you of her activities. If you want to do that in some part of the room where we can't hear you?

Mrs. Powell, your lawyer can't advise you unless you tell him the absolute truth. You may want to talk to him some place. I would strongly advise you to tell your lawyer exactly what your relationship is. According to client—lawyer relationship he cannot disclose what you say. You can feel free to talk to your lawyer. There is no way we can subpoena him, and make him tell us what you said. Unless you tell him the truth, he will give you bad advice. Do you want five minutes to talk to him?

Mrs. POWELL. Yes, I think so.

The CHAIRMAN. We will take a five-minute recess.

[Recess had.]

The CHAIRMAN. We will proceed.

Mr. COHN. Have you ever been a member of the Communist party?

Mrs. POWELL. I don't feel that I have been.

Mr. COHN. What do you mean by that? Is that something you have feeling about?

Mrs. POWELL. Not to my knowledge at all, no.

Mr. COHN. If witnesses come in and tell that you went to the Claudia Jones Leadership School—

Mrs. POWELL. I went to meetings in line with my work. At the time I was secretary of the *People's Voice*.

Mr. COHN. Were you a member of the Communist party?

Mrs. POWELL. Not to my knowledge.

Mr. COHN. You know that is not true. Let me explain that. You are a graduate of high school. You went to college. We know an awful lot about that. You are not before a loyalty board now. We have other witnesses who are coming in here to testify. If you don't tell the truth here, we will send the case to the Department of Justice. You can be indicted for perjury. There is a jail penalty attached to it.

Mrs. POWELL. I understand. I am not wasting my time. If I can explain something. I worked for the *People's Voice* and there was a lot of disturbance at the time when I did realize everything was going on. I was told to go here and there for the position I held. All the members were there.

The CHAIRMAN. Who told you that?

Mrs. POWELL. Mr. Wilkerson.

Mr. COHN. Did you have trouble remembering that name?

Mrs. POWELL. Doxey Wilkerson.

The CHAIRMAN. All these members were there?

Mrs. POWELL. At the office.

The CHAIRMAN. Do you mean members of the Communist party?

Mrs. POWELL. I can tell now, after all is boiled down, just what did happen.

The CHAIRMAN. You went to this meeting, these Communist meetings?

Mrs. POWELL. Now I realize, yes. Now I realize under all observation, it was.

The CHAIRMAN. Did you ever give the FBI the names of the people who attended?

Mrs. POWELL. I was never asked.

Mr. COHN. Did you tell the loyalty board this information?

Mrs. POWELL. Yes, I think I did when they asked for these different things. I think I did. I was asked if I was a student at the Carver School.

The CHAIRMAN. Did you have any doubt about the name?

Mrs. POWELL. I considered it as Carver Jones.

Mr. COHN. They are two entirely different things?

Mrs. POWELL. I understand it is the same one.

Mr. COHN. Did you know Claudia Jones?

Mrs. POWELL. No, I don't know her.

Mr. COHN. Did you see her?

Mrs. POWELL. Yes.

Mr. COHN. Where did you see her?

Mrs. POWELL. At the Carver School. I had asked; it was pointed out, if I remember.

Mr. COHN. When did you attend the Carver School?

Mrs. POWELL. That is what I was asked. I didn't attend the school. I attended several lectures that were given there.

Mr. COHN. Why?

Mrs. POWELL. I was in the *People's Voice* during the period 1945 to 1949, something like that.

Mr. COHN. When were these lectures, in what year?

Mrs. POWELL. I think during 1947—between 1946 and 1947 if I recall.

Mr. COHN. Do you now realize that that was a Communistic school?

Mrs. POWELL. Now I realize, yes.

Mr. COHN. But you say you weren't a Communist?

Mrs. POWELL. I don't feel I was.

Mr. COHN. You don't feel you were?

Mrs. POWELL. I was attending these different lectures and meetings.

Mr. COHN. What was there about communism you disagreed with?

Mrs. POWELL. That is my—

Mr. MORRIS. I—

Mr. COHN. You can talk with your client all you want, but not to me.

[Discussion between Mr. Morris and Mrs. Powell.]

Mrs. POWELL. I was saying that the lectures I was told to attend—I think it was on Negro history—but as far as government procedure I was never—I have never attended any lectures along those lines. As far as overthrowing the government I have never attended any lectures along those lines.

Mr. COHN. What did you disagree with in the Communist party?

Mrs. POWELL. A lot of things.

May I have that question again?

Mr. COHN. You say you weren't a Communist and you don't feel you were a Communist?

Mrs. POWELL. That's right.

Mr. COHN. What things did the Communists stand for that you disagreed with?

Mrs. POWELL. That is all in line with my work in getting out the newspaper.

Mr. COHN. What is there in your line of work that made you attend lectures?

Mrs. POWELL. Yes, I went according to my job.

Mr. COHN. Who told you?

Mrs. POWELL. My instructor, Mr. Wilkerson.

Mr. COHN. Did you know Mr. Wilkerson was a Communist party official?

Mrs. POWELL. No, I didn't. While working I didn't know, and many members in the office didn't know.

Mr. COHN. When did you find out?

Mrs. POWELL. We had a great disturbance in the office when the whole thing came to light. I think it was 1948—I think it was 1948, if I recall.

Mr. COHN. What did you do when you worked on the *People's Voice*?

Mrs. POWELL. I was a secretary in the editorial department.

Mr. COHN. Did you write articles?

Mrs. POWELL. General manager, secretary.

Mr. COHN. Why was it essential to your work to go to a Communist party school?

Mrs. POWELL. I am trying to see how I did get to go. I was asked.

The CHAIRMAN. Did you say you are on maternal leave?

Mrs. POWELL. Yes.

The CHAIRMAN. Then, when did that leave commence?

Mrs. POWELL. It began September 9, 1952.

The CHAIRMAN. Your maternal leave?

Mrs. POWELL. 1952, September.

The CHAIRMAN. You have been on leave for a year?

Mrs. POWELL. Ten months. I had six months and I asked for six more months which is up on September 28th.

The CHAIRMAN. Then you anticipate going back on September 28th?

Mrs. POWELL. I had hoped to ask for an extension.

The CHAIRMAN. How old is your child?

Mrs. POWELL. He is ten months.

The CHAIRMAN. You plan to go to work on September 28th?

Mrs. POWELL. I don't think I am fit yet to go back.

Mr. COHN. When were you last in the office?

Mrs. POWELL. My office? Not since I left.

The CHAIRMAN. I am going to make a suggestion. It is now nearly twelve o'clock. I think you had better go home and think this over and we will want you to come back tomorrow morning at 10:30.

Mrs. POWELL. I can't finish it now at all?

The CHAIRMAN. I want you to have a chance to talk to your lawyer. I know you are not as dumb as you are trying to make out.

Mrs. POWELL. I am being very honest and sincere in this whole thing.

The CHAIRMAN. I want to say something for your protection. You graduated from high school. You went to two different colleges. You attended all these Communist meetings. We want to know why you attended them, how you disagreed with the Communist party. I want you to have a chance to talk to your lawyer so he can intelligently advise you. And, I want you to come back here tomorrow morning at 10:30. Don't make a mistake in thinking that you are going to fool this committee because you can't.

Mrs. POWELL. I don't want to.

The CHAIRMAN. Did you ever pay any dues to the Communist party?

Mrs. POWELL. I am thinking.

The CHAIRMAN. You would remember if you paid them money, I assume?

Mrs. POWELL. Like contributions. It is very clever the way everything is done.

The CHAIRMAN. After it is all boiled down.

Mrs. POWELL. Now I realize what was going on. At that particular time I didn't know. I just gave to collections.

The CHAIRMAN. Did you give collections to go to the *Daily Worker*?

Mrs. POWELL. No, I didn't.

The CHAIRMAN. Did you give collections where you knew the money was going to the Communist party?

Mrs. POWELL. No, I didn't, no. Not to my knowledge that it was going to the Communists.

Mr. COHN. Where did you think the money was going?

Mrs. POWELL. To help the newspaper. I worked many times without salary for the *People's Voice*—to get the paper out.

The CHAIRMAN. Were you ever issued a membership card of the Communist party?

Mr. COHN. Be very careful.

Mrs. POWELL. I received a card—something—I had to have membership to get into a meeting where Doxey Wilkerson was attending. I found out later. We had a lot of disturbance at that time.

Mr. COHN. The card said right on it "Communist Party"?

Mrs. POWELL. No, I never received a card.

The CHAIRMAN. Isn't it correct that you said before you attended this Communist meeting with Wilkerson and that you were issued a card which showed in its face that you were being given membership in the Communist party, and it had a number on the card?

Mrs. POWELL. Yes.

The CHAIRMAN. So you were issued a card in the Communist party?

Mrs. POWELL. Not that I signed any particular card. This time I got the card. That's when I started a whole lot of disturbance—how did I get a card? And they said I—they said it wasn't a card.

The CHAIRMAN. You were issued a card which shows you were given membership in the Communist party and there was a number on the card? There is no question on that?

Mrs. POWELL. If that is the card. You said a number. Not that I ever signed. I never signed it. I never applied. I never signed anything.

The CHAIRMAN. You were given a membership card in the Communist party with your name on it?

Mrs. POWELL. This particularly card that I have received. I remember to go to the Carver School to attend this lecture that Doxey Wilkerson was going to be at—many lectures.

Mr. COHN. Who gave you the card?

Mrs. POWELL. Doxey Wilkerson's secretary. Mrs. Madeline Laurence.

The CHAIRMAN. Where did you find out—when did you find out it was a Communist party card?

Mrs. POWELL. I think in 1948—because I had raised the question myself. I got together with a whole lot of the editorial staff trying to find out who was Communist. I got very unpopular when I found out it was a Communist organization. I wanted to get the paper for the benefit of the Negro people, and I had gotten together with this group who were found to be Communists—which was Doxey Wilkerson.

Mr. COHN. Is that when you found out?

Mrs. POWELL. Yes, at the time management changed.

Mr. COHN. Now, isn't it a fact that when you were in the *People's Voice* you did a lot of work for the Communist party up there?

Mrs. POWELL. No, not to my knowledge.

Mr. COHN. Did you know a man named Deton Brooks?

Mrs. POWELL. That was my boss. I didn't know at the time. That was definitely my boss and I didn't know anything that was going on at that time. Everything was cleverly done. Now that everything is boiled down—everything in my knowledge was in line with my duty as a worker for daily living.

Mr. COHN. Did you ever swipe any files from Mr. Brooks' office?

Mrs. POWELL. No, I didn't.

Mr. COHN. Did you ever take any papers and give it to anybody?

Mrs. POWELL. There was a Miss Laurence who did something with it.

Mr. COHN. Didn't you have anything to do with it?

Mrs. POWELL. No.

Mr. COHN. Did you admit to Mr. Brooks you did?

Mrs. POWELL. No.

The CHAIRMAN. Did you ever remove any of Mr. Brooks' files, take them out of the office?

Mrs. POWELL. No, I didn't.

The CHAIRMAN. Did you ever take any files, any documents out of that office?

Mrs. POWELL. Never did.

The CHAIRMAN. Did Mr. Brooks ever call you in and accuse you of taking his files?

Mrs. POWELL. No.

Mr. COHN. Did you ever try to?

Mrs. POWELL. No, I never did.

The CHAIRMAN. You say Miss Laurence did?

Mrs. POWELL. Yes, at the time there was something there. They had accused her.

The CHAIRMAN. He never accused you?

Mrs. POWELL. No.

The CHAIRMAN. He didn't tell you that you had helped Miss Laurence?

Mrs. POWELL. No. All this happened in the changing of hands of the paper before Doxey Wilkerson came.

The CHAIRMAN. How old is Miss Laurence?

Mrs. POWELL. I haven't any idea.

The CHAIRMAN. Does she look like you?

Mrs. POWELL. Yes.

The CHAIRMAN. Do you think Mr. Brooks could be mistaken between you and Miss Laurence?

Mrs. POWELL. No.

The CHAIRMAN. If Mr. Brooks testified that you tried to remove the files?

Mrs. POWELL. I don't think he could say that.

The CHAIRMAN. Would he be mistaken—could he be mistaken between you and Miss Laurence?

Mrs. POWELL. No, he couldn't be mistaken.

The CHAIRMAN. We want you to come back tomorrow morning at 10:30.

Mrs. POWELL. All right.

[The testimony was completed at 11:30 a.m.]

The CHAIRMAN. Do you solemnly swear the testimony you will give to the subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PALMIERO. Yes.

**TESTIMONY OF FRANCESCO PALMIERO**

Mr. COHN. Your full name.

Mr. PALMIERO. Francesco Palmiero.

Mr. COHN. Where do you live?

Mr. PALMIERO. 4102-12th Street, Long Island City.

Mr. COHN. Where do you work?

Mr. PALMIERO. In the U.S. Army Signal Corps.

Mr. COHN. A security officer?

Mr. PALMIERO. Security, intelligence, something like that. And, my position is a guard.

Mr. COHN. And how long have you been working there?

Mr. PALMIERO. I have been working—let me see—start January 1950.

Mr. COHN. Subpoena was served on you this morning, is that right?

Mr. PALMIERO. Yes.

Mr. COHN. And that called for you to produce among other things any Communist literature you had in your possession?

Mr. PALMIERO. I never had any Communist literature, sir, in my possession. Whatever they ever sent me they put under the door. A copy of the *Daily Worker*. This is past years ago. This is 1940 or 1941, something like that.

Mr. COHN. What do you have up in your trunk in your place now?

Mr. PALMIERO. It is a trunk of a person that is in a hospital. An old person, and he told somebody else—somebody else told me if I could give him a break for a few months while he was in the hospital.

Mr. COHN. To whom does it belong to?

Mr. PALMIERO. I don't know his name—I know the person very well.

Mr. COHN. Is that the only trunk?

Mr. PALMIERO. Two trunks.

Mr. COHN. One belongs to you?

Mr. PALMIERO. Both trunks belong to the sick man.

Mr. COHN. What is his name?

Mr. PALMIERO. I don't know. I know a friend of mine who intercedes and asked me for a favor.

Mr. COHN. What is the friend's name?

Mr. PALMIERO. Paul Cavanna.

Mr. COHN. Paul Cavanna?

Mr. PALMIERO. That's right.

Mr. COHN. Is Mr. Cavanna a Communist?

Mr. PALMIERO. Well, that is a question. You asked me such a relevant question. How am I supposed to know who is a Communist and who isn't?

Mr. COHN. Have you ever been a Communist?

Mr. PALMIERO. No.

Mr. COHN. Did you ever sign a petition supporting the Communist party?

Mr. PALMIERO. They remind me—the Communist letters remind me. I answer them. I thought it was over. I remember I signed a

petition some time ago, and the government supplied me with a date on this and I answered to the best of my ability. I thought there was nothing wrong in signing any petitions as long as I don't belong to the party. I think everybody has a right to sign a ballot. I thought it was the American Liberal party. They used to come to my house.

The CHAIRMAN. You did sign the Communist party petition?

Mr. PALMIERO. Yes, my name is here.

The CHAIRMAN. Your position is that you have a right to sign any petition and the Communist petition.

Mr. PALMIERO. I don't think there was anything wrong to that. I don't think it was detrimental to the United States government.

The CHAIRMAN. It is now 12:15. We are going to adjourn to 1:30. We are going to order you to produce both those trunks. The committee has information that they contain material concerning the Communist party; material concerning subversion. They are in your apartment. You can say you don't know who owns them; that somebody in the hospital owns them—you don't know his name. We will have an investigator go down—two investigators go down to the apartment.

Mr. PALMIERO. May I say something? I haven't the slightest idea what the two trunks contain. I merely thought to do a favor to an old person since I had an empty room. Cavanna asked me to give him a break. If I know a person I trust—what he does I don't know. I am not going to investigate what he does.

The CHAIRMAN. Did you ever put anything in the trunk?

Mr. PALMIERO. I have no keys. I never put anything there.

The CHAIRMAN. Well, we will have two of the men go down with you. Where do you live?

Mr. PALMIERO. At 12th Street, Long Island City.

The CHAIRMAN. And you have to be at work at four o'clock?

Mr. PALMIERO. Yes.

The CHAIRMAN. How long does it take to get to your home?

Mr. PALMIERO. Three quarters of an hour, or fifty minutes, something like that. From where I live to the job it is about fifteen minutes.

The CHAIRMAN. I am trying to work this out so you won't miss work this afternoon. I assume you want to get there. If you came back down here again and you had to try to get back to work you would have difficulty getting there at 4:05.

Mr. PALMIERO. Yes.

The CHAIRMAN. Well, would it be easier if we sent the men out with you to look at the trunks and if they decide they want to bring them back here—normally we would want you down here. If you have no objections they will bring the trunks down without you, and you can come in tomorrow morning.

Mr. PALMIERO. I can come down here any time. These trunks don't belong to me—being I have no access to the keys. I merely did a favor. If I can contact Mr. Cavanna, if I could contact him—he gave me a card once. I had no chance to contact him.

The CHAIRMAN. You personally have no objection to the investigators looking into the trunk?

Mr. PALMIERO. But I think it would be unfair to the person whom the trunks belongs. Whom am I to allow any person to open it?

The CHAIRMAN. We are not asking you to allow that. We are ordering you to produce them so that you are under order of the committee. To make it easy for you to produce them we will have two of the investigators go out with you. We will want you here at 10:30 in the morning.

Mr. PALMIERO. That's all right.

The CHAIRMAN. Just so there is no doubt in your mind why you are here. You have been accused of being a Communist by some witnesses. You were doing security work for the military—a very important job. At this point the committee has made no decision as to whether you are a Communist. Our duty is to check into it and find out whether you are a Communist. If you are, then you are in a dangerous position. If you are not, good. I may say that this being a closed session your name will not be given to the press, to any one in public. The only way the public will learn you are here is if you will tell them yourself. If you are quiet about it, they won't.

Mr. PALMIERO. I don't care if they put it in the press. I am not interested at all.

The CHAIRMAN. We are not telling the newspapers you are here. If you want to tell your friends or any newspapermen you are here, you have a perfect right to do it. I just want you to know that your name will not be given out by the committee. If it is given out it will be yourself who gives it out.

Mr. PALMIERO. Okay.

[The testimony was completed at 12:20 p.m.]

The CHAIRMAN. Do you solemnly swear the testimony you give to the subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FELDMAN. I do.

#### TESTIMONY OF ALBERT FELDMAN

The CHAIRMAN. Where are you working now?

Mr. FELDMAN. 111 East 16th Street, New York Procurement Agency.

The CHAIRMAN. The procurement agency?

Mr. FELDMAN. Yes, sir.

The CHAIRMAN. That is the army procurement agency?

Mr. FELDMAN. Correct.

The CHAIRMAN. And just what are your duties over there?

Mr. FELDMAN. I am a warehouseman.

The CHAIRMAN. Just what do you do as a warehouseman?

Mr. FELDMAN. Receive merchandise, check supplies, ship, distinguished from salvage on serviceable property. Take trucks off—supplies from trucks.

The CHAIRMAN. Do you have information as to the destination of materials shipped out?

Mr. FELDMAN. Destination of materials shipped out? Yes. If I ship the supplies I have.

The CHAIRMAN. In other words, say we are shipping materials to Alaska, would you know that?

Mr. FELDMAN. I wouldn't know in reference to that—from the depot to our agency mostly.

The CHAIRMAN. I don't think I follow you at all. You were a warehouseman?

Mr. FELDMAN. Yes.

The CHAIRMAN. And you do route supplies, or just what do you do?

Mr. FELDMAN. In case there is some supplies going for inspection division, certain places, I pack the package, I write down the address, and ship it out.

The CHAIRMAN. To various camps?

Mr. FELDMAN. Yes, sir.

The CHAIRMAN. In other words, if this material is to be shipped to a certain town in the United States you have the information as to where it is going and what is being shipped?

Mr. FELDMAN. Sometimes, not always.

The CHAIRMAN. How about points outside of the United States?

Mr. FELDMAN. I don't think I have anything to do with that.

The CHAIRMAN. As far as you know your agency has shipments within the United States?

Mr. FELDMAN. I believe so.

The CHAIRMAN. You believe so? Do you ever get information about the material shipped out of the United States?

Mr. FELDMAN. I wouldn't have any information on that—only what concerns my immediate job.

The CHAIRMAN. Did you ever get that information?

Mr. FELDMAN. No, sir, I don't.

The CHAIRMAN. In other words, as long as you worked there you never had information about material being shipped out of the United States?

Mr. FELDMAN. I don't think so.

The CHAIRMAN. What kind of material—food, ammunition?

Mr. FELDMAN. Not food. Just inspection material for inspectors.

The CHAIRMAN. By this inspection material what do you mean? Just assume I don't know what you are doing at all.

Mr. FELDMAN. I couldn't tell you offhand. I couldn't specifically specify.

The CHAIRMAN. Does it deal with ammunition?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Any guns?

Mr. FELDMAN. No, sir.

The CHAIRMAN. No food?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Clothing?

Mr. FELDMAN. Yes, clothing we shipped out.

The CHAIRMAN. How long have you worked there?

Mr. FELDMAN. Five and a half years, sir.

The CHAIRMAN. Do you deal with any paperwork at all?

Mr. FELDMAN. Not except signing signature for receiving stuff and issue slips to issue supplies within the building.

The CHAIRMAN. How long have you worked there?

Mr. FELDMAN. Five and a half years.

The CHAIRMAN. Before that where did you work?

Mr. FELDMAN. I didn't work for a year and a half and before that I worked overseas for the government.

The CHAIRMAN. Have you ever been a member of the Communist party?

Mr. FELDMAN. I have never been affiliated with any group in form, shape or—

The CHAIRMAN. Have you ever been a member of the Communist party?

Mr. FELDMAN. No, sir. I never have been.

The CHAIRMAN. Did you ever pledge yourself to support the Communist party?

Mr. FELDMAN. Never.

The CHAIRMAN. Make sure you understand these questions.

Mr. FELDMAN. I understand perfectly well, and I am aware I am under oath.

The CHAIRMAN. Did you ever pledge yourself to support Communist candidates?

Mr. FELDMAN. The only thing I know I signed a petition at one time. That is all I did, nothing else.

The CHAIRMAN. That was a Communist party petition?

Mr. FELDMAN. In 1941 signing the petition, I wasn't fully aware whether it was Communist or otherwise. I just signed and I walked out of the shop at five o'clock and I had no specific reason for signing it. I had nothing in mind with reference to the petition. I wasn't in the country long. I wasn't fully aware of the petition, but I signed it.

The CHAIRMAN. When did you come to this country?

Mr. FELDMAN. I came here in 1932.

The CHAIRMAN. Well, at that time is it your testimony that you didn't quite know what the Communist party stood for? I could understand if a man came to the country he might make a mistake and sign the wrong petition.

May I ask you this? In 1941 when you signed this, could you speak and read English?

Mr. FELDMAN. Yes, I could speak it, but not too well.

The CHAIRMAN. Are you in the habit of signing papers that you don't know about?

Mr. FELDMAN. This one case I did.

The CHAIRMAN. Let me read what you apparently signed. It is entitled "Independent Nominating Petition—Communist Party" It continues as follows:

I, the undersigned, do hereby state that I am a duly qualified voter of the political unit for which the nomination for public office is hereby made; that my place of residence is truly stated opposite my signature hereto and that I intend to support at the ensuing election, and I do hereby nominate the following named persons as candidates for nomination for public office to be voted for at the election to be held on the 4th date of November, 1941, and that I select the name Communist Party as the name of the independent body making the nomination.

At that time had you decided to become a member of the Communist?

Mr. FELDMAN. Neither did I decide to become a member; neither was that the exact wording as far as I can recall presently. I don't recall that heading, sir.

The CHAIRMAN. Now you know that the men who you pledged yourself to support—Israel Amber, Elizabeth Gurley Flynn—do you know those people?

Mr. FELDMAN. I don't know them, sir.

The CHAIRMAN. Did you know then or now that Elizabeth Gurley is a well rather well-known and famous Communist?

Mr. FELDMAN. I never did.

The CHAIRMAN. Do you know it now?

Mr. FELDMAN. I didn't know it now.

The CHAIRMAN. Answer—didn't you know she was a well-known Communist?

Mr. FELDMAN. I didn't know this.

The CHAIRMAN. Can you tell us this—and I may say that I can understand the man who comes to this country not knowing our ways so well—he may make mistakes which he may regret. I cannot understand the man who is here nine years who will say I will support these well-known Communists.

Mr. FELDMAN. I had no reason of any kind to support—to sign. I love this country too much not to do any damage to it. I signed the petition. I didn't realize. I walked out of the shop and that is what I signed.

The CHAIRMAN. You signed only one petition?

Mr. FELDMAN. As far as I can remember I signed only one petition.

The CHAIRMAN. You signed more than one and for the Communist party in each case.

Mr. FELDMAN. Not to my knowledge, sir. I don't recall it.

The CHAIRMAN. I will show you one entitled in large letters "Communist Party." It says state of New York, city of New York. Will you look at this and see if you recognize that one? Keep in mind when we find two, that means you undoubtedly signed much more than two.

Mr. FELDMAN. No sir. I remember distinctly.

The CHAIRMAN. You said one. Our investigator tells us, he told you you had signed one. Now, we show you two. Can you remember signing two?

Mr. FELDMAN. I see my signature on two. I don't recall. What year was that?

The CHAIRMAN. Is that your signature?

Mr. FELDMAN. Yes, sir.

The CHAIRMAN. I will show you another one.

Mr. FELDMAN. That is the second one?

The CHAIRMAN. Yes.

Mr. FELDMAN. That was—I lived there in 1941. I couldn't possibly recall that.

The CHAIRMAN. Is that your signature?

Mr. FELDMAN. Whether it is my signature? Yes, that is my signature.

The CHAIRMAN. Do both those petitions contain your signature?

Mr. FELDMAN. Yes. That is correct.

The CHAIRMAN. We can't help getting a bit disturbed when we find a man handling military equipment who had pledged himself as—

Mr. FELDMAN. I haven't pledged myself. I am a good American in every way. I love this country.

The CHAIRMAN. You say on here I intend to support Communist candidates. Why do you think you signed the Communist petition? I know nothing about you. We checked. You are handling military equipment and you pledged—you signed to support Communist candidates. I assume that if you signed a pledge supporting Senator McCarthy you wouldn't do that unless you were in favor of McCarthy. If you sign a pledge to support President Truman or Eisenhower, you normally wouldn't sign that unless you were in favor of it.

Mr. FELDMAN. If I remember correctly about 5:15 when I go out of the shop on 345 7th Avenue a lady came over and asked me to sign the petition. I didn't think, I just signed the petition not realizing it is for the Communist party. I never was a Communist of any kind.

The CHAIRMAN. You do recall signing the petition?

Mr. FELDMAN. I didn't recall, sir, but I had been interrogated two years or more than that from the Civil Service Commission. They brought it to my attention.

The CHAIRMAN. Now you recall it was about 5:15 in the afternoon, it was a lady who asked you to sign it?

Mr. FELDMAN. Yes. I worked until five o'clock; when I walked out of the building about 5:15—

The CHAIRMAN. I will mark one of them number one—the other number two. Tell us which one you are referring to.

Mr. FELDMAN. No, sir, I do not know. I don't know.

The CHAIRMAN. Do you know when you signed the other one?

Mr. FELDMAN. I don't recall.

The CHAIRMAN. Do you subscribe to the *Daily Worker*?

Mr. FELDMAN. No, sir, I haven't read the *Daily Worker* except when I was forced to get the *Daily Worker* where I was working. I just looked at it.

The CHAIRMAN. The chairman in the shop in which you were working told you you would have to get the *Daily Worker* or lose your job?

Mr. FELDMAN. Yes, sir.

The CHAIRMAN. Who was the chairman of the shop?

Mr. FELDMAN. I couldn't recall. It has been a long time ago.

The CHAIRMAN. What shop?

Mr. FELDMAN. Meltzer Freedman, 345-7th Avenue.

The CHAIRMAN. And what kind of work were you doing?

Mr. FELDMAN. Furrier.

The CHAIRMAN. And the chairman said that you had to get the *Daily Worker* and read that, or lose the job?

Mr. FELDMAN. I never subscribed for it and never took it home.

The CHAIRMAN. Did you pay for it?

Mr. FELDMAN. I couldn't recall, sir. It is too far.

The CHAIRMAN. Were you a member of the Fur Leather Workers Union?

Mr. FELDMAN. Yes, I was.

The CHAIRMAN. Ben Gold heads that?

Mr. FELDMAN. Yes, sir. That's right.

The CHAIRMAN. The same Ben Gold was indicted just a couple of days ago?

Mr. FELDMAN. Yes, sir.

The CHAIRMAN. How long did they force you to take the *Daily Worker* and read it?

Mr. FELDMAN. I only worked about six months and I went in the army and I stayed until October 1945.

The CHAIRMAN. How many Communist party meetings did you attend?

Mr. FELDMAN. None whatsoever.

The CHAIRMAN. Are you sure?

Mr. FELDMAN. I am positive.

The CHAIRMAN. Let me say to you now. I will give you some advice. You don't have a lawyer here. The witnesses come into this room often. They are guilty of no criminal offense. They may belong to the Communist party. That is not a crime—that is not a criminal offense unless you know the Communist party advocates the overthrow of the government by force and violence. The witnesses come in and try to fool this committee. We are not eager to have anyone indicted for perjury. If we find a man perjures himself we are bound to have him indicted. You are not called hit or miss. We didn't look in the telephone book to pick your name out. You are in here because we have witnesses and evidence that you have been active in the Communist party.

Mr. FELDMAN. Positively not.

The CHAIRMAN. Let me finish.

Mr. FELDMAN. If I have to go to the president of the United States nobody can point to me and say that I was a member. It is not the case, sir, I am sorry.

The CHAIRMAN. Either tell us the truth, the complete truth, or refuse to answer. That is for your own protection.

Mr. FELDMAN. I will tell the truth, and nothing but the truth, but I don't want to be accused of anything I never did.

The CHAIRMAN. You say you never attended any Communist party meetings?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Did you attend any meetings which you later believed to be Communist meetings?

At the time you may not have known they were Communist meetings.

Mr. FELDMAN. Not to my knowledge.

The CHAIRMAN. Do you know now of any meetings you attended which you now think is Communist party meetings?

Mr. FELDMAN. Do I recall any meetings I attended that might have been Communist? Not to my knowledge.

The CHAIRMAN. Do you recall any?

Mr. FELDMAN. None as I specified before.

The CHAIRMAN. Were you a supporter of Ben Gold's?

Mr. FELDMAN. I was purely working for a living. I needed a union card in order to work in the shop.

The CHAIRMAN. Were you ever issued a card in the Communist party?

Mr. FELDMAN. No, sir, never. Positively not.

The CHAIRMAN. Were you issued a card of membership in any organization—do you think it is possible that a card was issued in the Communist party and that you might not have known what it was?

Mr. FELDMAN. I really would know. They never issued any to me of any kind or nature.

The CHAIRMAN. In early 1948 were you not issued a membership card in the Communist party?

Mr. FELDMAN. In '47, '48, I was never issued.

The CHAIRMAN. Where were you working in 1948?

Mr. FELDMAN. I wasn't working. I wasn't working then at all.

The CHAIRMAN. And you say you attended no meetings which you had any reason to believe were Communist party meetings then or now?

Mr. FELDMAN. No, sir. And I say it fully to my knowledge.

The CHAIRMAN. How long did you obtain the *Daily Worker*?

Mr. FELDMAN. Just as long as I worked in that shop, which was a period of six months.

The CHAIRMAN. The only reason was because the chairman of the shop said you would have to read it?

Mr. FELDMAN. The chairman.

The CHAIRMAN. Do you know his name?

Mr. FELDMAN. I don't know. I don't recall his name.

The CHAIRMAN. That was in what year?

Mr. FELDMAN. 1941.

The CHAIRMAN. You have no idea what his name was? Do you have any idea of whether he is working for the government now?

Mr. FELDMAN. I didn't see the man for twelve or thirteen years.

The CHAIRMAN. When did you see him last?

Mr. FELDMAN. When I left the ship. That is when I last saw him.

The CHAIRMAN. I am not trying to make this difficult for you, but a person of just ordinary intelligence. Here is Mr. Feldman who knows he signed a petition exactly 5:15 in the afternoon—

Mr. FELDMAN. I am not saying.

The CHAIRMAN. Don't interrupt me until I finish. 5:15 in the afternoon that a woman came from across the street to bring a petition to him. However, he worked under a chairman of a shop for two months. Why is his memory good in some places and not in another?

Mr. FELDMAN. Do you remember every person you looked at?

The CHAIRMAN. Can you remember what he looked like?

Mr. FELDMAN. He was stubby. Specifically remembering a man's name—it is an impossibility. I couldn't remember that man's name.

The CHAIRMAN. Do you know his first name?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Do you know his last name?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Do you know if he is married or single?

Mr. FELDMAN. I could say yes, but I wouldn't be sure of it.

The CHAIRMAN. Do you know if he was a Communist?

Mr. FELDMAN. I take the presumption that he might have been, but I am not sure.

The CHAIRMAN. When he ordered you to subscribe to a Communist paper you must have assumed he was a Communist?

Mr. FELDMAN. I took the presumption.

The CHAIRMAN. After you had gotten this order to subscribe to the Communist paper you assumed he was a Communist and you were given a Communist party petition—

Mr. FELDMAN. That has nothing to do with the other. That has nothing to do with the other.

The CHAIRMAN. I am not sure you follow me. If you came into me and said, "McCarthy, I am your boss. You subscribe to a Communist paper." And I say, "All right, I will do it in order to keep my job." When I get that Communist paper I am put on my notice about the Communist party. Then when somebody comes in and wants you to support some of the top Communists you should know what they mean. If you do that to keep your job that is one thing. You say that is not the case. You say some woman asked you to sign it. It is rather difficult for an ordinary person to say that you didn't know what you were doing. Is it still your testimony that when you signed this Communist party petition that you signed it not knowing what you were signing?

Mr. FELDMAN. Yes. I wouldn't have any reason to know otherwise.

The CHAIRMAN. Outside of these two Communist petitions did you sign any other petitions that you know of?

Mr. FELDMAN. No, sir, I didn't.

The CHAIRMAN. Now, do you know anything about the American Labor party?

Mr. FELDMAN. The American Labor party sent me a few letters, that is all. That is all I know about the Labor party.

The CHAIRMAN. Do you know that it has been recognized generally as a Communist organization? You know that, don't you?

Mr. FELDMAN. Yes.

The CHAIRMAN. Do you think a person who belongs to a Communist organization should be handling army supplies?

Mr. FELDMAN. I stated to you. I understood every question that you asked me.

The CHAIRMAN. Answer that one. Do you think if a person belongs to a Communist organization—one well-known as a Communist organization, he should be handling army supplies?

Mr. FELDMAN. No, sir, I don't believe that.

The CHAIRMAN. You belong to the American Labor party?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Didn't you sign up as an American Labor party member as late as 1949—after the American Labor party had been—after the non-Communist element split away they formed the liberal party?

Mr. FELDMAN. I wasn't a member of that organization.

The CHAIRMAN. In 1949 the records show you were registered.

Mr. FELDMAN. I couldn't stop anybody having my name down. I couldn't help it. It is not my fault.

The CHAIRMAN. Just a minute. Didn't you sign up yourself? Nobody registered for you as a member. Didn't you sign your name?

Mr. FELDMAN. I registered as a Democrat. In 1949. Also in 1950 and later in 1951 and '2.

The CHAIRMAN. How about '48.

Mr. FELDMAN. I don't recall.

Mr. COHN. Did you ever register as a member of the American Labor party?

Mr. FELDMAN. Yes, I did.

Mr. COHN. When?

Mr. FELDMAN. Before they went Communist.

Mr. COHN. That was in 1944?

Mr. FELDMAN. In 1944.

Mr. COHN. In 1944?

Mr. FELDMAN. When was Wallace head of the Labor party?

Mr. COHN. He was never head of the Labor party. The anti-Communists broke away in 1944 and joined a liberal labor party. Wallace was in the year 1948. Isn't it true that you were a registered member of the American Labor party after that?

Mr. FELDMAN. No, sir.

The CHAIRMAN. You remember exactly what years you registered as a Democrat. You named the years you registered. Can't you recall the years you registered as a member of the American Labor party?

Mr. FELDMAN. I came back from working for the government overseas in 1947. In 1948 I couldn't vote.

The CHAIRMAN. What year did you register as a member of the American Labor party, if you did?

Mr. FELDMAN. I don't recall if I did. I couldn't answer that question because I don't recall.

The CHAIRMAN. You can't remember that?

Mr. FELDMAN. No, I don't.

The CHAIRMAN. Do you remember that you registered as a member of any party?

Mr. FELDMAN. I am a Democrat. I know I received the mail from the Democratic party.

The CHAIRMAN. You say you registered as a Democrat in 1950. Before that did you register as a member of any other party?

Mr. FELDMAN. I don't recall.

The CHAIRMAN. You don't recall?

Mr. FELDMAN. No, sir. Besides that, it is my personal right.

The CHAIRMAN. You have a perfect right to register as you wish. That is if you weren't working for the government we wouldn't care how you registered. But when you are handling military equipment we want to know how you registered.

Mr. FELDMAN. I never registered as a Communist. That should answer the question.

The CHAIRMAN. You signed Communist pledges. Did you register as a member of the ALP?

Mr. FELDMAN. I don't recall.

The CHAIRMAN. You thought you had registered at one time?

Mr. FELDMAN. I don't recall.

The CHAIRMAN. Do you recall registering as a member of any party prior to 1950?

Mr. FELDMAN. Any party? No, sir.

The CHAIRMAN. Did you vote before 1950?

Mr. FELDMAN. Did I vote? Yes, I did.

The CHAIRMAN. Before you voted, didn't you register?

Mr. FELDMAN. But I don't recall.

The CHAIRMAN. No idea?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Your memory is strangely bad when it comes to any Communist connections. You are entitled to have a bad memory. Mine is bad in some respects, too. Did you vote Communist?

Mr. FELDMAN. I never as long as I was in this country voted Communist. I explained the reason for the petition. Is it necessary to go into such details?

The CHAIRMAN. Yes, sir. You said a woman walked across the street at 5:15 twelve years ago and she handed you a Communist petition and you signed it.

Mr. FELDMAN. Yes.

The CHAIRMAN. Did you do it because she was a nice looking woman or because you—

Mr. FELDMAN. Sir, if you put your signature ten, twelve years ago, you remember.

The CHAIRMAN. If I was so accurate it was 5:15—that it was a lady across the street.

Mr. FELDMAN. Well, I will tell you why I was so accurate. If you work until five o'clock, and you walk out of the shop it would be approximately 5:15.

The CHAIRMAN. Was that the same year you got the *Daily Worker*?

Mr. FELDMAN. I didn't buy it; I just got it.

The CHAIRMAN. Didn't you tell the loyalty board of the army that you had signed a Communist party petition?

Mr. FELDMAN. Two years ago.

The CHAIRMAN. Wherever you appeared before them?

Mr. FELDMAN. Yes, sir. I admitted. They showed me the signature and I said, "Yes, it is my signature."

Mr. COHN. Did they ask you about subscribing to the *Daily Worker*?

Mr. FELDMAN. I told them the same thing I told you.

Mr. COHN. Did they ask you about registering in the American Labor party?

Mr. FELDMAN. I don't recall.

The CHAIRMAN. Do you know that the American Labor party is a Communist group?

Mr. FELDMAN. It is affiliated.

The CHAIRMAN. There is no doubt in your mind that the ALP was a plainly Communist organization?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Did you know that in 1948?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Did you know that in 1949?

Mr. FELDMAN. No, sir.

The CHAIRMAN. You used the Wallace year as the year that you knew about it?

Mr. FELDMAN. Yes.

The CHAIRMAN. Are you married?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Have you ever been married?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Ever been arrested?

Mr. FELDMAN. No, sir.

The CHAIRMAN. You have never been arrested?

Mr. FELDMAN. No, sir.

The CHAIRMAN. How do you spell your name?

Mr. FELDMAN. F-e-l-d-m-a-n.

The CHAIRMAN. You are sure you have never been arrested?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Ever been picked up for anything?

Mr. FELDMAN. No, sir.

The CHAIRMAN. When were you admitted to citizenship?

Mr. FELDMAN. I became a citizen under my father's papers. Before I was the age of eighteen he became a citizen and I became a citizen under his papers.

The CHAIRMAN. You say you never attended a Communist meeting?

Mr. FELDMAN. No, sir, positively not.

The CHAIRMAN. You said you worked for the government overseas?

Mr. FELDMAN. In 1947, General Hospital in Frankfort.

The CHAIRMAN. When was that?

Mr. FELDMAN. In 1946.

The CHAIRMAN. For how long?

Mr. FELDMAN. Eight months.

The CHAIRMAN. And where did you work after that?

Mr. FELDMAN. I came back from Europe in the early—late part of 1947 and I didn't work for two years.

The CHAIRMAN. What did you live on for two years?

Mr. FELDMAN. I saved my money that I made in the army and I had enough to get along. I didn't find a job. Partly I worked with my Dad as a plumber.

The CHAIRMAN. Did you ever get money from the Communist party?

Mr. FELDMAN. I never got a cent from anybody except that I made and worked for.

The CHAIRMAN. You didn't get any money from any organization other than an organization for which you were working your six or eight hours a day?

Mr. FELDMAN. Organization? Work myself, that is. Nobody gave me anything.

The CHAIRMAN. Do you understand the question? I know you received a salary from various shops in which you worked. The question is: Did you ever receive any money from any other organization other than an organization in which you were physically laboring?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Did you ever receive money for distributing literature?

Mr. FELDMAN. No, sir.

The CHAIRMAN. Weren't you picked up at one time in connection with some picketing or labor dispute or distributing literature?

Mr. FELDMAN. I never picketed and I was never picked up.

The CHAIRMAN. Never picked up by the Police Department?

Mr. FELDMAN. No, sir, never.

The CHAIRMAN. I think that is all. You are excused, Mr. Feldman. Thank you. You will consider yourself under subpoena in case we want you. We will let you know.

The committee has a ruling that we don't give the name of the witness that appears. Your name will not be given to anybody outside of this room unless you give it to them. Unless you do it yourself it will not be done.

[Testimony was completed at 3:00 p.m.]

## COMMUNIST INFILTRATION AMONG ARMY CIVILIAN WORKERS

[EDITOR'S NOTE.—On September 1, Senator McCarthy demanded that the U.S. Army produce personnel files and the names of those individuals responsible for the clearance of the civilian employees he was investigating.

Following their testimony in executive session, both Doris Walters Powell and Francesco Palmiero (1908–1971) were suspended from their jobs with the army. Neither Powell nor Palmiero testified in public session; nor did Deton Brooks (1909–1975), Paul Cavanna (1892–1978), Col. Ralph M. Bauknight (1905–1991), Captain Donald Joseph Kotch (1931–1980), Stanley Gerber, or Jacob W. Allen. Marvel Jackson Cooke (1903–2000), the assistant managing editor of the *People's Voice* from 1943 to 1947, testified in public on September 8, 1953.]

TUESDAY, SEPTEMBER 1, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*New York, NY.*

The subcommittee met at 10:30 a.m. pursuant to recess, in room 128, Federal Court House, Foley Square, New York, New York, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; and David Schine, chief consultant.

The CHAIRMAN. Will you gentlemen raise your right hands, and I will swear you together.

Do you solemnly swear the testimony you will give to the subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Capt. KOTCH. I do.

Mr. GARBER. I do.

Mr. ALLEN. I do.

### TESTIMONY OF CAPTAIN DONALD JOSEPH KOTCH, ASSISTANT ADJUTANT; STANLEY GERBER, CLERK-TYPIST; AND JACOB W. ALLEN, CHIEF LEGAL OFFICER, QUARTERMASTERS INSPECTION SERVICE COMMAND

Mr. COHN. Let's get the names for the record.

Capt. KOTCH. Donald Joseph Kotch.

Mr. COHN. What is your position?

Capt. KOTCH. I am assistant adjutant of the Quartermasters Inspection Service Command.

Mr. COHN. And next?

Mr. GERBER. Stanley Gerber, clerk-typist, Quartermasters Command.

Mr. ALLEN. Jacob W. Allen, chief legal officer at the Head Quartermasters Inspection Service Command.

Mr. COHN. Now, Captain, I believe Mr. Schine talked to you yesterday.

Capt. KOTCH. Yes, he did.

Mr. COHN. And you were asked to produce the personnel files and the loyalty files pertaining to Doris Walters Powell and Albert Eli Feldman, is that correct?

Capt. KOTCH. That is correct.

Mr. COHN. Have you produced those files?

Capt. KOTCH. We have not produced the files inasmuch as there exists an army directive that prohibits my doing so without prior approval of the Department of the Army.

Mr. COHN. Have you attempted to obtain such approval?

Mr. ALLEN. Yes, I have. I spoke with Mr. Schine last evening, and he suggested that I attempt to secure the clearance under the DA memo, and I spoke with my Washington office, and they in turn spoke with the Department of Army acting counselor, Mr. Joseph Bishop, and the information that was furnished was that the procedure was for the committee to make a request in writing for the papers or files, whatever would be desired.

The CHAIRMAN. Do I understand if another request is made in writing that you will furnish the files?

Mr. ALLEN. We will forward the request to the department counselor.

The CHAIRMAN. We wouldn't have time for it to go through the mails. I want you to call up and find out if you can get the files.

Mr. ALLEN. I can do that.

Mr. SCHINE. To whom do we address the request?

Mr. ALLEN. Well, I would suggest the secretary of the army. There is a Department of Army memo, 345-5-10, which is dated 1 September 1950, which sets forth the regulations that we are required to comply with.

The CHAIRMAN. Who has jurisdiction over the files in New York?

Mr. ALLEN. That would be kept in counsel's possession.

The CHAIRMAN. We will have Captain Kotch get it.

Mr. ALLEN. Is your request for the loyalty files as well as the personnel files?

The CHAIRMAN. One will be for the personnel files, the other will be for the loyalty hearings, and the third will be for the loyalty files.

How do we address that?

Capt. KOTCH. New York Quartermaster Inspection, 2-M, Inspection Service Command.

Mr. SCHINE. Mr. Chairman, we are going to add a third name to the list.

The CHAIRMAN. All right.

Will you question, Mr. Cohn?

Mr. COHN. You know Mrs. Powell personally?

Capt. KOTCH. No.

Mr. COHN. You know she work—

Capt. KOTCH. I know she worked there prior to my taking over.

Mr. COHN. Now, does she have access to any classified material?

Capt. KOTCH. No.

Mr. COHN. She testified she is a procurement officer, that as such she has to do with the purchase of material and something to do with the shipments to various bases.

Mr. ALLEN. I think, Mr. Cohn, that would be all included in the personnel files as distinguished from the loyalty files.

Mr. COHN. We are not talking about what is in the files. We are not worried now about what is in the file. What we are concerned with is your general setup down there. In other words, she works down there in a room, or whatever it is. Now, this work that she does if she is procurement officer, is it on things that are public information or not public information? Can anybody walk in—

Mr. ALLEN. No, it is not public information. I wouldn't say that any of the office is not open to the public. I don't know the young lady, and I don't know what work she does.

The CHAIRMAN. Let me review her testimony. She said, among other things, she examined the invoices covering shipments of food to all parts of the world. Now, answer this question: Is the information concerning the shipment of food to the various bases classified or not classified?

Mr. ALLEN. It is not classified.

The CHAIRMAN. That information is open to the general public?

Mr. ALLEN. No, sir, it is not. It would be restricted to the knowledge of the people working in the office.

The CHAIRMAN. Well, is it marked "confidential," "secret," or "restricted"?

Mr. ALLEN. No, sir.

The CHAIRMAN. It isn't?

Mr. ALLEN. No.

The CHAIRMAN. Can they give this information out freely?

Mr. ALLEN. Well, they are not supposed to, in accordance with prescribed regulations of the office.

The CHAIRMAN. What does it say? That they can't give out unclassified information?

Mr. ALLEN. No, I don't believe it says anything that specific. Just a general code of ethics the office has.

The CHAIRMAN. I don't understand that. Is it your testimony that the shipment of food, the information on the shipment of food is not classified information? Is that the fact?

Mr. ALLEN. Generally, I would say it is not.

The CHAIRMAN. Well, not generally. You work over there—

Mr. ALLEN. No. Mr. Gerber is assistant to Captain Kotch.

Capt. KOTCH. To answer that question, it requires having someone in from the activities that conduct that business. There was a Market Center, and I am not familiar with integral—

Mr. ALLEN. If I may interrupt, it was my understanding that the testimony that you wanted from Captain Kotch was related to the agency procedures on intelligence, and the methods under which our office processes that type of information in accordance with the army regulations. We are not prepared to give any information on the procurement of perishables.

The CHAIRMAN. Who can come in here and tell us the extent of the classification of the purchase and shipment of food to the various bases?

Mr. ALLEN. Well, food in our office is procured by the New York Market Center office physically located in our building.

The CHAIRMAN. Is there any army regulation, if any of you know, to the effect that that information is classified or not classified? I understand you gentlemen are not in that work, but you should be able to tell us who would know. It is very important for us to know that.

Mr. ALLEN. Well, the person in charge of the Market Center office is Colonel Bauknight.

The CHAIRMAN. Let me ask you, Captain Kotch, if an enemy, or a potential enemy, had complete information of the advance shipments of food to the various bases, that would be of great value to him, wouldn't it?

Capt. KOTCH. It certainly would.

The CHAIRMAN. It would indicate the troop movements, or the potential troop movements, wouldn't it?

Capt. KOTCH. Yes.

The CHAIRMAN. Sent to our units in those areas. That is why I can't understand Mr. Allen's statement that this information is not classified.

Mr. ALLEN. Well, I think the goods are normally shipped on army shipping documents, the same as all other shipments, and those documents in and of themselves are not stamped "confidential," but they only are processed through channels and would not normally be available.

The CHAIRMAN. Let's say as of tomorrow the army decides to ship a vast amount of food to Alaska and other material, in preparation for a sizeable movement of troops to that area. Do I understand the invoices, the orders would not be stamped "secret," or "confidential"?

Mr. ALLEN. I don't believe so, but the shipping documents themselves would only have markings, and markings would be in effect a code, which, when deciphered, would show where the goods are to be shipped.

The CHAIRMAN. Certainly if you have anything in code, that would be confidential, wouldn't it? You don't leave codes around unclassified, do you?

Mr. ALLEN. No, sir. I am——

The CHAIRMAN. I am not trying to cross-examine you.

Mr. ALLEN. I really don't know the——

Capt. KOTCH. Colonel Bauknight would be the man. Extension 444, Spring 7-4200.

The CHAIRMAN. Would you call him and ask him when he could come down at the least inconvenience, either this forenoon or this afternoon, or if not, he can come tomorrow morning.

Captain, I wonder if you could tell us anything about the work of Mr. Palmiero.

Mr. COHN. He works out in Queens.

Capt. KOTCH. No, I don't know.

Mr. COHN. Let me ask you this: Are you familiar with the fact of whether or not they have had loyalty hearings?

Capt. KOTCH. I don't think I can answer that. I am not sure of my grounds.

Mr. ALLEN. I think from the information we have been given from the department counselor that that would be included in the files when produced.

The CHAIRMAN. In other words, you feel you can't answer that until you get clearance?

Capt. KOTCH. Yes, sir. I am bound by the regulations.

Mr. ALLEN. We have nothing to hide, I assure you, but it is just that we are required to comply with the army regulations.

The CHAIRMAN. We don't want any of you to violate any regulations that might submit you to court martial or anything else. So, under the circumstances, we accept your refusal to answer at this time.

Now, if we give you this written request, how soon could you bring in the files, or come in and tell us that the military refuses it?

Mr. ALLEN. We will get on the telephone with it immediately, and if necessary, we are prepared to send the files down to Washington by plane or train. It was my understanding from what I was told that the loyalty files would probably require White House clearance. I am really not familiar with it.

The CHAIRMAN. I consider the three requests in a different category. Roy, is there any information you wish to ask for?

Mr. COHN. Well, there is a lot I want.

The CHAIRMAN. This morning you feel you are not in a position to discuss whether or not there have been any loyalty hearings. Will you describe the procedure that you follow when you hire civilian personnel?

Capt. KOTCH. When a person is hired, the Civil Service Commission conducts a pre-employment investigation. If the employee is to be put on a sensitive position, the operating official who is to be chief of the activity where the employee would work requests a clearance to "confidential," "secret," or "top secret." We in turn, our office, types up a request to First Army for the clearance, and with the request we send a personnel history statement of the employee to First Army G-2. Upon receipt of the request by First Army they cause an investigation to be conducted.

The CHAIRMAN. By whom?

Capt. KOTCH. By the Federal Bureau of Investigation.

Mr. COHN. Is G-2 out at Governor's Island?

Capt. KOTCH. Yes.

Mr. COHN. Who has charge of Governor's Island?

Capt. KOTCH. I send all my requests to Colonel Wynne.

Mr. COHN. Do you know that phone number out there?

Capt. KOTCH. Extension 2272. The phone number is Whitehall 4-7700.

When the investigation is returned from the FBI to army, they decide whether the employee should be cleared if derogatory information is disclosed in the investigation.

The CHAIRMAN. Who makes the decision?

Capt. KOTCH. G-2 of First Army.

Mr. COHN. Colonel Wynne?

Capt. KOTCH. No. It would be a chief, and they have a new chief.

Mr. COHN. You say you don't know the name of the present chief. Who was the one before?

Capt. KOTCH. Colonel Young, I believe. I worked directly with the service branch.

Mr. COHN. Suppose they want to consult—suppose it becomes necessary for us to be in touch with a person who makes this decision, who would we contact?

Capt. KOTCH. Ask for G-2 of First Army.

Mr. COHN. G-2 of First Army and that is out at Governor's Island?

Capt. KOTCH. Yes.

Mr. COHN. And whoever is in command there would be the one technically who makes an evaluation of the files?

Capt. KOTCH. Or his authorized representative, I imagine.

The CHAIRMAN. Let me ask you this, Captain: How long have you been in intelligence?

Capt. KOTCH. A little less than one year.

The CHAIRMAN. We had testimony here yesterday from a security guard. Just what he does, I don't know. I gather he is a guard, a physical security guard rather than personnel security. He admitted that he signed petitions in which he pledged to support Communist candidates, one of which, I believe, was Thompson. Would you, as an intelligence officer, think that that would disqualify him as a security guard?

Capt. KOTCH. Yes.

The CHAIRMAN. I agree with you heartily.

I am afraid we may be asking you something which is not in your line. Probably Colonel Bauknight should answer this question. We had testimony yesterday from a witness to the effect that she attended Communist party meetings, attended a Communist leadership school, was secretary and member of the National Committee of the Communist party, that she received a membership card in the Communist party, and she said she didn't quite know what the card meant, that she didn't consider herself exactly—she didn't feel as if she was exactly a Communist, and she has been handling invoices for food, I gather almost exclusively, and she said that she would have the knowledge of shipments to Alaska, Korea, or any place in the world. I assume you and I would assume that could be an extremely dangerous situation.

Capt. KOTCH. It could.

The CHAIRMAN. That is Colonel Bauknight's responsibility?

Capt. KOTCH. Yes.

The CHAIRMAN. Colonel Bauknight is in charge of that department. Would he have any authority or responsibility in the clearance or non-clearance of that employee? Would that be G-2 of First Army?

Capt. KOTCH. He has no authority for clearance, nor do I. It comes from the First Army.

Mr. SCHINE. Do you know the name?

The CHAIRMAN. We don't need it. G-2. First Army.

Mr. ALLEN. Colonel Wynne, I think.

Capt. KOTCH. Colonel Wynne was the man I worked for.

The CHAIRMAN. I will tell you what we want. We want the individual who was responsible for the clearance of those three people, and if he is tied up today, tell him if he can't come today, this afternoon, he can come tomorrow morning or tomorrow afternoon.

Capt. KOTCH. I wonder if I might answer a few of your questions by continuing with the procedure.

The CHAIRMAN. Yes.

Capt. KOTCH. If derogatory information is disclosed in the investigation, we are informed by G-2 First Army to submit a summary of the investigation with recommendation for retention or removal. We expedite this action and forward the case back to First Army for processing through the Department of Army and a loyalty board on that level.

The CHAIRMAN. Do you have any authority, Captain Kotch, and I am speaking of you personally, insofar as recommending for or against the clearance of any individual?

Capt. KOTCH. Yes.

The CHAIRMAN. What is it?

Capt. KOTCH. I make my recommendation after surveying the investigation to the commanding officer prior to forwarding to First Army.

Mr. COHN. To whom?

Capt. KOTCH. Colonel Howard.

The CHAIRMAN. Just what is your jurisdiction? How many civilian employee cases, for example, would come to you for recommendation or for survey?

Capt. KOTCH. I couldn't answer that without telling how many cases I have up there. It is not—it is very few.

The CHAIRMAN. How about the people working in the Quartermaster Corps? Do you have any jurisdiction over there insofar as recommending for clearance or non-clearance?

Capt. KOTCH. The only time I would make any recommendation would be in the case of an individual who had derogatory information against him.

The CHAIRMAN. Let's assume I am working at the Quartermaster Corps and there is what you consider derogatory information against me. Are you the man who would pick up my case first and either recommend a hearing or action on it, or would somebody else do that?

Capt. KOTCH. I would pick it up, recommend that the individual be removed and it would be forwarded to army, and with that action I would notify the officer in charge of the individual, in writing—the information is hand-carried—to restrict that employee from any classified material.

The CHAIRMAN. I don't think I got your title.

Capt. KOTCH. Assistant adjutant of the First Army, Quartermaster Inspection Service Command.

The CHAIRMAN. So then you would be the one who would examine the recall file, we will say, and the personnel file, both of them being in the Quartermaster Corps?

Capt. KOTCH. I would.

The CHAIRMAN. So it would not be G-2 over at Governor's Island? It would be yourself?

Capt. KOTCH. Well, they review. I only recommend action.

The CHAIRMAN. Who was your predecessor?

Capt. KOTCH. Captain Dickson.

The CHAIRMAN. Is he in New York now?

Capt. KOTCH. He is. However, he is there about three months. Prior to Captain Dickson, it was Captain Kenneth Slater who had been intelligence officer for two years.

Mr. COHN. Where is Captain Slater?

Capt. KOTCH. He is in Hawaii at the present time.

The CHAIRMAN. Captain Slater would most likely be the man who gave the original clearance for Mrs. Powell, I presume.

Capt. KOTCH. I suppose so.

The CHAIRMAN. Do you ever pick up the cases for review? Let's say that you are intelligence officer, or assume Captain Jones is in your position. Does he have the obligation to reexamine the cases from the loyalty standpoint, or do they lie dormant unless and until additional information comes in?

Capt. KOTCH. No. We assume the responsibility when we take over. For example, when I took over any case that I felt there wasn't prompt enough action on, I sent a tracer through the army to notify me as to what action was taken.

The CHAIRMAN. How about your rules and regulations? Have they been at all changed under the new Eisenhower loyalty program, or do you interpret that as a plan principally to the civilian agents?

Capt. KOTCH. There are changes coming out. I was informed Friday by G-2 army that there was a regulation, a new security regulation coming out that I would receive probably in the next thirty days that would run many changes through on the procedure.

The CHAIRMAN. Have you had any reevaluation of any cases since the new administration took over? I ask that because we have heard a lot, especially in the newspapers, about the new loyalty program, the new rules and regulations, and I wondered whether or not you had taken a look-see at any of your cases.

Off the record.

[Discussion off the record.]

The CHAIRMAN. Let me ask you this: Can you supply the committee with the security regulations now in effect?

Capt. KOTCH. Army regulations, yes.

The CHAIRMAN. In other words, you can do that without any written request?

Capt. KOTCH. Yes.

The CHAIRMAN. I wonder if you would do that. I would like to see them. We have been running into some rather unusual regulations.

Mr. ALLEN. If you have them here, there is no objection to furnishing them.

Capt. KOTCH. I have my file here.

Mr. ALLEN. Did you want to retain them?

The CHAIRMAN. Yes, I would like to have them for other members of the committee.

Capt. KOTCH. Well, can I endeavor to obtain copies for you?

The CHAIRMAN. Let me look at them. Maybe we won't need them. It looks as though you have been using it quite a bit.

Capt. KOTCH. This is the Bible.

The CHAIRMAN. Incidentally, so far as the civilian employees of the army are concerned, how much authority for firing do you have? Are there any road blocks in your way if you want to fire

somebody you think is a bad security risk? What rights do they have? In other words, do they have an appeal?

Mr. ALLEN. I think it is covered by those security regulations.

Capt. KOTCH. That is on army level. They do have an appeal to the screening board.

Mr. COHN. Let's see if I understand. The Civil Service Commission makes the first investigation.

Capt. KOTCH. Yes.

Mr. COHN. Then you send that out to Governor's Island, to Colonel Wynne's office, who requests information by the FBI?

Mr. ALLEN. May I interrupt that. I am not sure whether the FBI or the CID do it in all cases.

Mr. COHN. They submit their report to G-2. G-2 sends the file on to you. They make an evaluation out there. Is that right?

Capt. KOTCH. Right.

Mr. COHN. And then, if it is desired to retain the person, they send the file on to you?

Capt. KOTCH. No. We don't get the file if there is no derogatory information.

Mr. COHN. Well, if there is derogatory information?

Capt. KOTCH. They keep a file and send a copy to us on a loan basis to write our summary and make a recommendation.

Mr. COHN. In other words, they don't make the final recommendation. When they have derogatory information, they don't say he is in or out? They keep on sending it to you for recommendation, so it comes to you and you make a recommendation for removal or retention?

Capt. KOTCH. They in turn look over the case and check my theory. They also make a recommendation.

Mr. COHN. In other words, you are both looking at the thing at the same time, and then they get your recommendation?

Capt. KOTCH. First they check mine. It is more or less a view.

Mr. COHN. And then they either confirm your recommendation or reject it. Now, if you recommend removal and they confirm it, what then happens?

Capt. KOTCH. Well, they do not confirm. They make a recommendation. If I recommend removal and I don't have enough evidence and they felt that the man should not be removed they would just endorse the case forward, recommend retention. However—

Mr. COHN. I see.

Capt. KOTCH. However, my recommendation would go forward with their recommendation.

Mr. COHN. All right. Now, if they recommend retention, that settles it? There is no loyalty hearing?

Capt. KOTCH. No. It goes on to G-2 of army.

Mr. COHN. In Washington?

Capt. KOTCH. Yes.

Mr. COHN. And if it is approved all the way down, there is no loyalty hearing?

Capt. KOTCH. No.

Mr. COHN. And if the final word is that he should be removed, then there is a loyalty hearing, is that correct?

Capt. KOTCH. Correct.

Mr. COHN. Where does the loyalty hearing take place?

Capt. KOTCH. Over in Governor's Island.

Mr. COHN. What is the composition of the loyalty board? Are there different panels, or who would know about that?

Capt. KOTCH. It is under revision at the present time, as I mentioned before.

Mr. COHN. But who would have passed on these cases, say, before the revision?

Capt. KOTCH. His name?

Mr. COHN. Yes, his name or—

Capt. KOTCH. A Mister—

Mr. COHN. Was it a civilian?

Capt. KOTCH. That is right. Mr. Kopp.

Mr. COHN. Was he sort of secretary of the loyalty board?

Capt. KOTCH. He is the chairman of it.

Mr. COHN. Does the loyalty board consist of all civilian, or some military?

Capt. KOTCH. Some military, some civilian.

Mr. COHN. Who is the top military, do you know?

Capt. KOTCH. No.

Mr. COHN. How many people are on the loyalty board, do you know—three, or five?

Capt. KOTCH. They are a large panel. The number that sits on each case I don't know.

Mr. COHN. In other words, the whole loyalty program is handled out in Governor's Island?

Capt. KOTCH. Yes.

Mr. COHN. If the recommendation is removal, they will send out interrogatories and get an answer, and if there is a hearing, make a judgment, and if there is a judgment, it is appealable, I assume, to the commanding general and then the secretary of the army. Is that it substantially?

Capt. KOTCH. Substantially.

Mr. COHN. Mr. Kopp out on Governor's Island is the one who would be familiar with the loyalty board procedures out there?

Capt. KOTCH. Yes.

Mr. COHN. Let me ask you specifically who did pass on the Powell and the Feldman cases, without going into the contents of the file?

Mr. ALLEN. Well, it is still part of the file. It will all be in there, and I think we ought to restrict it.

The CHAIRMAN. Well, I may say that the witness will be ordered to answer that question. However, if he feels that he must contact his superior first to get his superior officer's position on it, he will be given that time. The order will stand, however. I feel, regardless of what the rules and regulations in the department are, that Congress has a right to find out who cleared someone like Mrs. Powell, who has been a member of the Communist party, who held a membership card, who went to Communist leadership schools. We want to find out why she was cleared, who cleared her, what knowledge the man had, and that order will stand regardless of what the secretary or anybody tells you to do, and if the material is not forthcoming, we will proceed against any witness who refuses. But we are not going to order you to do that today.

Mr. ALLEN. Could we have the specific question? As I understand, it was who reviewed and cleared Mrs. Powell.

The CHAIRMAN. We will order the production of this information: Number one, we want to know who cleared Mrs. Powell so we can bring him before us and find out the reason for the clearance with all the derogatory information which is in the file. Number two, we will want to know what information was before him when he cleared her. In other words, we will need all the information in the files. Unless we know what information was available to him, it will be rather difficult to even remotely follow his reasoning in the case.

As I say, we will order you to produce that information, but we will give you time to contact your superior officer.

Just so you will understand the position of us here, I take it that that is information which Congress must have, that there is no rule or regulation that anyone can make that can deny that information to the Congress. I feel the army would be making a great mistake if they tried to.

Mr. ALLEN. I appreciate that. I don't even know she was cleared.

Mr. COHN. She is working there?

Mr. ALLEN. That doesn't mean—

Mr. COHN. People who aren't cleared work there?

Mr. ALLEN. I think, as I explained originally, when it is indicated whether or not they have access to classified material, then the process starts.

Mr. COHN. In other words, you are explaining there is a distinction between someone who has access to classified material?

Mr. ALLEN. That is what I understood from the testimony.

The CHAIRMAN. In other words, if someone is shoveling dirt, you don't worry about security clearance too greatly, but if he is handling classified material, it is an entirely different situation.

Capt. KOTCH. However, if that person were known to be as a Communist subversive, he would not be in that command.

The CHAIRMAN. Well, I don't think there is anything further at this time.

Mr. COHN. Let me ask you this: Is Mrs. Powell currently on the rolls?

Capt. KOTCH. She is on maternity leave.

Mr. COHN. On maternity leave?

Capt. KOTCH. Has been for the past year.

Mr. ALLEN. I think that we could say this, that there is some procedure, as I understand it, that some action has been indicated to be taken prior to her return to duty, so that—

Capt. KOTCH. She would never return to duty. I mean, never be permitted to.

Mr. COHN. Has she been notified she won't be permitted to return?

Mr. ALLEN. I don't think so.

The CHAIRMAN. You mean after this information developed here, she won't be allowed to return?

Capt. KOTCH. No, it is not part of this at all.

Mr. ALLEN. This has been in effect for about a year, I think.

The CHAIRMAN. I gather from your position that you can't discuss it clearly.

Capt. KOTCH. I would like to, but I can't.

Mr. ALLEN. I feel myself—and I would like this to be off the record.

The CHAIRMAN. Yes.

[Discussion off the record.]

The CHAIRMAN. I think that is all.

Capt. KOTCH. I feel awful about not being able to produce those files.

The CHAIRMAN. Do you have the written request?

Mr. SCHINE. It is being drafted right now. It will be ready very shortly.

The CHAIRMAN. Thank you, gentlemen, very much, for coming in. [Witnesses excused.]

The CHAIRMAN. Mr. Brooks, will you raise your right hand? In the matter now before the subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROOKS. I do.

**TESTIMONY OF DETON J. BROOKS, JR., FIELD SECRETARY,  
WELFARE AND HEALTH COUNCIL OF NEW YORK CITY**

The CHAIRMAN. Incidentally, I want to thank you very much for inconveniencing yourself and coming down here this morning.

Mr. BROOKS. I am glad to do so.

Mr. COHN. Mr. Brooks, what is your occupation?

Mr. BROOKS. My occupation is field secretary for the Welfare and Health Council of New York City.

Mr. COHN. For how long a period of time have you held that position?

Mr. BROOKS. Only for six months at this time. I went in under Mr. Raymond Higgins. This is the Welfare and Health Council, a private agency. Prior to that time, I was in the administration department of the Department of Welfare.

Mr. COHN. Now, Mr. Brooks, where were you before you went with Commissioner Higgins in the welfare department?

Mr. BROOKS. Just prior to that time, I was first acting executive director of the Temporary City Housing Rent Commission under Charles G. Coster, who was the chairman of the commission, and I went in there as the personnel director, and I have been promoted from that position.

Mr. COHN. Prior to that time you were editor of the *People's Voice*?

Mr. BROOKS. Editor and general manager of the *People's Voice*. I went in there first as business manager, in January 1947. Six months later, when the publisher, Dr. Jergen, was finally able to kick out Doxey Wilkerson as editor and general manager, I took over as editor and general manager.

Mr. COHN. But you had been business manager?

Mr. BROOKS. That is right. From January '47 until July '47.

Mr. COHN. Were you aware of the fact that Doxey Wilkerson was a prominent member of the Communist party?

Mr. BROOKS. I certainly was. I went there with Dr. Jergen for the purpose of reorganizing that paper.

Mr. COHN. In other words, Doxey Wilkerson had been general manager and is it fair to say he brought about the infiltration of Communists?

Mr. BROOKS. On leaving Howard University in Washington I remember distinctly when he said he was leaving Howard University as a professor to become an active member of the national party.

Mr. COHN. You mean the national committee?

Mr. BROOKS. Yes.

Mr. COHN. There was no secret about that?

Mr. BROOKS. No.

Mr. COHN. Had he brought some Communists into the *People's Voice*?

Mr. BROOKS. When I got there, they were there.

Mr. COHN. And your job was to—

Mr. BROOKS. To clear them out.

Mr. COHN. To get them out of there.

The CHAIRMAN. As part of the record may I point out that in the testimony of J. Edger Hoover—it is on page forty-seven of May 1947, it is about halfway on the page, and in that he points out that Doxey Wilkerson publicly announced that he was an organizer for the Communist party and that he became a member of the national committee. I point out that in order to qualify for membership he had to have been a member of the party in good standing for four years. We will put that in the record at this point.

Mr. CARR. Mr. Brooks, during this period when you were attempting to take over the paper from the Communists who were already there, did Doxey Wilkerson give you a secretary, or direct that you use a secretary?

Mr. BROOKS. Yes, he did. As a matter of fact, I arrived in New York City—do you mind holding this for a minute?

The CHAIRMAN. Off the record.

[Discussion off the record.]

Mr. BROOKS. Doxey Wilkerson said to me in front of my wife that he would like for me to take Doris Walters as my secretary. I said to him that it was rather unusual for anyone to select another executive's secretary. He said, "Well, I want you to try her out. If she doesn't work out, then we can get rid of her."

About two and a half or three weeks later I went to him and told him I felt she was unsatisfactory as a secretary. He just grinned and did nothing about it. I found out subsequently from her that he had come and warned her that I had made a report on her and she had better watch her step.

Mr. CARR. Now, is this the Doris Walters [handing photograph to Mr. Brooks]?

Mr. BROOKS. That is she.

The CHAIRMAN. For the record, explain who Doris Walters is.

Mr. CARR. Doris Walters is now Mrs. James Nathan Powell.

Now, this Doris Walters, did there come a time when you learned that she was either a Communist or the tool of the Communists within your organization?

Mr. BROOKS. All along, from January until July—

Mr. CARR. What year?

Mr. BROOKS. 1947. By a number of things that she did—I mean overt things she did, I naturally suspected that she was working

hand in hand with some people. For instance there was one, Marvel Cooke, who had the title when I went there of managing editor of the paper. They were frequently at lunch together. But overtly, this is the type of thing that would be done. I would give her work under my direction to do, and I would come back to the office after a conference at other places, and that work would not be done. She would just be sitting there doing nothing but reading the newspaper or talking to somebody over the telephone. Up until—I can't give you the exact date, because things moved so fast, but up until sometime around June or July when Max Jergen gave me a formal letter and directed me to take over the complete management of the newspaper, I had reason to believe that Doris was certainly disloyal and uncooperative.

Mr. CARR. Now, in this respect, Mr. Brooks, did you have any knowledge that Marvel Cooke, this person you say was very friendly with Doris Walters, did you have any knowledge that she was in any way a Communist?

Mr. BROOKS. I want to be accurate. I never saw a party card, but it was general knowledge up in the Harlem area that—I mean other newspaper people would laugh about it, and she was Mrs. Commissar at the newspaper.

Mr. CARR. She was a member of the Communist party when she was on your paper?

Mr. BROOKS. She apparently was, and I have reason, as I can point out, that more or less corroborates that. At the time when I talked to Doris Walters, because my first feeling was to fire her at the time we got rid of Doxey Wilkerson, there were several reasons I didn't. One of them was she immediately became pale, as pale as she could be, when she got this information, you see, and she told me she would like to go to lunch with me. I took her to lunch at a place called—well, it was a place where we frequently ate—and she admitted at that time that she had gone into my files, along with Madeline Lawrence. Madeline Lawrence was Doxey Wilkerson's secretary.

Mr. CARR. This is Doris Walters now that admitted?

Mr. BROOKS. Doris Walters admitted she had gone to my files with Madeline Lawrence at the direction of Marvel Cooke. That first in my files they had tried to find anything that was incriminating, either where I had mismanaged the funds of the newspaper, or anything in my personal life that could—that they could use to—

Mr. CARR. She was doing this for the Communists?

Mr. BROOKS. She said she did this under the direction of Marvel Cooke. Certainly she did it along with Madeline Lawrence. She said they came into the office on Sunday, and this occurred—

Mr. CARR. That Marvel Cooke directed that she go through your files? She was connected in some way with Ben Davis. Do you have some information to that effect?

Mr. BROOKS. Well, as I found out subsequently—maybe I was a little naive, too. When I first came, I knew there were Communists in the newspaper, but I felt with management that what you could do was to give directives and they would be carried out. I found subsequently from a number of different things that the Communists considered the *People's Voice* a key paper in their whole

apparatus for the Harlem area, and for the Negro throughout the country. For instance, they took this kind of interest in the paper. I wrote once, after I did get control of the paper, an editorial on the Catholic Bishop in St. Louis, I wrote an editorial that pointed out that it was good, that I felt the church hadn't moved fast enough, but that in this instance they moved in a direction even in advance of the public attitude of the people in the community, and that for that reason, I felt that the Bishop of St. Louis should be commended. Then this big burst came that I was an enemy of my people. That, and Ben Davis and others called and wrote letters to that effect. I mean, it was really a bombardment.

Secondly, I did have information that Marvel Cooke was reporting—I got it informally, and it was hearsay. They had an office at 135th Street, and that she frequented that office.

Mr. COHN. You mean the Communist party?

Mr. BROOKS. Yes. Ben Davis was downtown, but he was also uptown.

Mr. CARR. He had office space in Harlem?

Mr. BROOKS. That is right. He was city councilman, too, and it was there that people—I mean they would come in and say she was frequently there. In 1948 he called me on the phone and he said to me, he said, "Brooks, how is the paper going to go in this election?" It was a presidential election coming up. I said, "I think it is too early for us to determine that." He said, "Well, we have a lot of differences, but if you know what is good, you had better support Wallace." And I told him over the phone, with another girl listening in, a conservative girl, I told him, "You run the Communist party. I am trying to run this newspaper."

Mr. CARR. And you had information that Marvel Cooke was reporting activities at the newspaper back to Ben Davis?

Mr. BROOKS. That is right. She was—well, from what Doris said, and from every other indication, she was really the party wheel of the paper. Frankly, Doxey was more the front man, but she was the one apparently that gave the directives.

Mr. CARR. There is no question in your mind that Doris knew she was working for the Communists in working for Marvel Cooke and Doxey Wilkerson?

Mr. BROOKS. She certainly knew what Doxey Wilkerson was. She knew that Marvel Cooke was opposing every policy we were trying to establish. They made no bones about it, and they both openly boasted that they were going to get me kicked out of there. And she knew that. And by her own statement to me, she did say that they had told her that I wouldn't be there too long.

The CHAIRMAN. You said they told you?

Mr. BROOKS. That Doxey Wilkerson had told her that I wouldn't be there too long.

Mr. CARR. In your opinion, now, she was your employee? You had a supervisory position in relation to her?

Mr. BROOKS. Yes.

Mr. CARR. In your opinion, do you think that she—let me put it this way: Do you think she was or is a good security risk at this time to work for the United States government?

Mr. BROOKS. Well, I have to go back to the period in which I knew her. I knew her from 1947 through '48, and there was noth-

ing, even after she told us her business and then worked with us to try to clear out the Communists, there is nothing in there which would make me feel she would be a good security risk.

Mr. CARR. When you say she worked with you to try to clear out the Communists, now, she worked for the Communists, then when she thought she was to lose her job, then she did what you told her?

Mr. BROOKS. That is right.

Mr. CARR. So it is your belief she would do whatever anybody told her?

Mr. BROOKS. That had influence over her at that period. You might ask the question why I didn't get rid of her. We had the Guild contract, and it is a tough one. It was the Guild contract that had been put together by the left wing members of the Newspaper Guild. To get rid of these people, with a little newspaper, it was a question of two or three thousand dollars per person. So I had to concentrate on getting rid of them or letting them get rid of themselves. And that was one of the reasons, when she would at least—at least gave me information which would help, and then voted the way we directed her to vote in the Newspaper Guild, that we didn't get rid of her.

Mr. CARR. You furnished information in essence the same as you have furnished us here to the Federal Bureau of Investigation?

Mr. BROOKS. Certainly. I remember distinctly saying to the FBI I could not determine whether she was a member of the Communist party, but that I did feel she would not be a good security risk.

Mr. COHN. She was certainly doing the bidding of the Communists when she went into your files and all that.

Mr. BROOKS. That is definite, yes.

Mr. CARR. But did the loyalty board call you to appear and give testimony?

Mr. BROOKS. Me, no. No one but the FBI.

Mr. COHN. If they had asked you to come down, you would have been glad to?

Mr. BROOKS. Yes.

Mr. SCHINE. Would you say she was under Communist party discipline and knew she was?

Mr. BROOKS. That is hard to determine, whether she was under the Communist party. All I can determine is that during the period from January 1947 to this period of June '47, that she was part of an apparatus which was opposing our reorientation of the newspapers, and that was the Communist persons that were doing it at that time.

The CHAIRMAN. One final question. Do you have any reason to believe that while she was working for you that she ever in her own mind broke with the Communist party?

Mr. BROOKS. Senator, frankly, she was the type that I don't believe—I have to answer that in one way by saying no, but at the same time I don't want to be unfair. I just don't think she was the type of person who was capable of having any real intense ideological feeling one way or another, you know. She worked with them because she was under their control at that time.

The CHAIRMAN. I think that is all. Again I want to thank you very much for coming up.

[Witness excused.]

The CHAIRMAN. Will both of you gentlemen raise your right hands?

Do you solemnly swear in the matter now pending before the committee that you will tell the truth, the whole truth, and nothing but the truth?

Col. BAUKNIGHT. Yes.

Lt. Col. TODD. YES.

**TESTIMONY OF COLONEL RALPH M. BAUKNIGHT, AND  
LIEUTENANT COLONEL WALTER J. TODD**

The CHAIRMAN. I hate to drag you gentlemen away from your work over there, but the principal thing we want to get from you is—first, let me review the testimony we have had.

First, you might state your names.

Col. BAUKNIGHT. Ralph M. Bauknight.

Lt. Col. TODD. Walter J. Todd.

The CHAIRMAN. I will quickly review the testimony we have had so you will understand what we want to get from you. We had one witness before, Mrs. Powell, who worked over in the Quartermaster Corps, now on maternity leave. Her testimony is that she had been handling the invoices, principally of food stuffs, shipped to United States bases, to Korea to Alaska, to any place in the world. She said she thought the stuff she was handling was classified "confidential," but she was very vague and didn't give us much information. The picture of Mrs. Powell is that she attended Communist meetings, attended Communist leadership school, that she received a membership card in the Communist party but she didn't quite know what she was receiving at the time. Testimony this morning from her former boss was that she was working hand in glove with the Communists, searching files and turning over information to the Communist party.

And there is the other man, Feldman, who signed a number of Communist petitions to support the Communist party. This was back in 1947 or '48. He pledged to support, among other things, Walter Thompson. Under cross-examination he admitted he subscribed to the *Daily Worker*, or rather he said he did that only to keep his job. His boss told him he had to do that. That was before he went with the army. His testimony here was, and again he was very vague, that he was handling something to do with the shipments of food and material but only inside the United States.

With that background, I would like to get, if I could, from you a picture of the type of work those two people were doing.

Col. BAUKNIGHT. We didn't come prepared.

Lt. Col. TODD. These people were before both of our times. We have checked on Mrs. Powell. We didn't check on Feldman.

Col. BAUKNIGHT. I thought he was in some other activity. We could follow through on that individual.

The CHAIRMAN. Let's take Mrs. Powell for the time being. Let's put it this way. Let's assume, without saying she was, let's assume that she was an enemy agent who had access to the information

which she had access to in regard to shipments of principally food. Would that be of considerable value to an enemy?

Col. BAUKNIGHT. The records show that this employee was a receiving report clerk?

The CHAIRMAN. Yes.

Col. BAUKNIGHT. In order for you to understand what a receiving report clerk does in our office I will have to explain by saying that we maintain from sixty to ninety days' supply of food for twenty-one overseas commands, and forty-two domestic installations. This level is replenished by reorders, and based upon warehouse receipts, this receiving report clerk sits down and types the report herself.

I can't believe that this employee, one of several in a pool, could possibly apply the ration factor and determine strength, because you understand what she was doing, she was merely throwing her finger on the pulse of the flow into any storage.

The CHAIRMAN. Her testimony was that she also knew what was being shipped out to the various bases.

Col. BAUKNIGHT. No.

Mr. SCHINE. Colonel, she testified she had full access to anything in the office. She could pull it out and see whatever was there.

Col. BAUKNIGHT. I can't speak for my predecessor, but certainly that sort of situation does not obtain today.

The CHAIRMAN. How long have you been there?

Col. BAUKNIGHT. May 8th in the second command. I went there May 11, 1952.

The CHAIRMAN. I think she went on maternity leave.

Lt. Col. TODD. About a year ago, I have been told.

The CHAIRMAN. Yes. She said she was due to go back September 28th of this year. Her testimony was that anyone in the office had complete freedom to move around the department.

Col. BAUKNIGHT. All classified material in the office is under lock and key, and I am quite sure that process was observed by my predecessor.

The CHAIRMAN. Your thought is she did not have access to shipments to Alaska or Korea?

Col. BAUKNIGHT. It is verging on the impossible, not only the improbability.

The CHAIRMAN. She said she examined invoices.

Col. BAUKNIGHT. To the ports overseas? She was in no way associated with that activity.

Lt. Col. TODD. We also ship out of the New York Port of Embarkation, and at that time possibly we were shipping out of Virginia, but I can't believe to Korea or Alaska, because that would be to minimize transportation cost. So where she could get into Korea or Alaska is vague to me.

The CHAIRMAN. Let me ask you this: Do you have a higher security scrutiny who handles the invoices of shipments out of the country?

Lt. Col. TODD. Actually, Senator, it is not practical, because there is no possibility of anyone sitting down there and through merely receiving reports establishing troop strength. I myself, who am thoroughly familiar with this, I don't think I could do it with receiving reports alone.

Col. BAUKNIGHT. May I interject this? We are essentially a procurement agency, and the overseas supplier division in the New York Port is concerned with the regulation of shipments overseas. We merely supply the overseas division, and they board it on—

The CHAIRMAN. Actually, you are in a position of shipping so many tons of food for this base, and to come to this base. You procure, and is another agency—

Col. BAUKNIGHT. The overseas supplies division.

Lt. Col. TODD. One thing we do, we receive these requisitions by the particular command involved, and we mark our product by that command and ship it to the port. Now, they in turn lift that on to the ship to the place where it is going.

The CHAIRMAN. I am sorry, I missed part of what you said.

Lt. Col. TODD. What I said was this, that we received the extracts of the overall requisitions from the command that the overseas division gives us. The part we receive deals only with perishables and subsistence. Now, the notice to ship to the port is marked with a code marking. Now, I don't imagine that code marking is too difficult to get a hold of any place, but when it reaches the port, of course, then they lift it onto the ship which takes it to the destination.

The CHAIRMAN. I don't imagine that code is any more secret than the code during World War II.

Lt. Col. TODD. Like "Clay." Everybody knows who "Clay" is, there is no question about that but the receiving reports section, just to amplify a little bit, we have the various levels, and depending on our stock position we requisition to replenish those shipments. That is only the receipt. The shipping of it is done in a different section altogether, and was done at that time, I believe, with five clerks which were handling these things, none of which handle the complete code. So it would be difficult for me, in handling it, to decide what the troop strength of any command was.

The CHAIRMAN. So, if I were over in your department, let's assume that I had access to everything in that department, I still wouldn't know where the stuff was being shipped out to, is that correct?

Col. BAUKNIGHT. It would require considerable research and liaison with other people.

Lt. Col. TODD. Because you have to get all the requisitions. You wouldn't know what was shipped to them or the overall requirements for that particular period, which might be a month or more. And even if you had those you wouldn't have it tied down.

Mr. SCHINE. Colonel, suppose the Senator and I and two others are Communists working for the party, and we work at different parts in the office. Could we be of value in turning over information to the party that would aid the party?

Col. BAUKNIGHT. At large. I would say that you might pick up certain information of a statistical nature concerning procurement.

The CHAIRMAN. Do you know how many tons of food are shipped to the various bases?

Col. BAUKNIGHT. Only after some research, and it is true I have liaison with the port, and when I get with him we can develop the information together.

Lt. Col. TODD. I don't know myself, sir, and I run that division where this is run. I know the total pounds we ship, but as far as the total command is concerned, I don't know.

The CHAIRMAN. Let's say you are going to ship a vast amount of food material to a port in California, there to be transshipped on to points in the Philippines or the Pacific. Is that material shipped directly from your command, or rather, do invoices originate in your command showing the quantity at destination?

Col. BAUKNIGHT. May I explain this. New York is concerned only with the procurement and distribution to twenty-one overseas commands in the Atlantic district. We never ship to, say, the Pacific or Alaska. And forty-two domestic installations within Pennsylvania and Maine. That is all. Now, some other—

The CHAIRMAN. Let's say then that there were to be shipped one hundred tons of food to some point in France, or somewhere in Europe. Would the invoice showing the point of destination pass through your office?

Lt. Col. TODD. Yes, sir, but it wouldn't work that way, Senator, because it would not be one procurement for a big amount like that. In other words, we would go out on a nationwide procurement. That stuff might come from all over the country, and either be delivered directly to the ship or it would go in my warehouse as replenishment requisition which we then supply from stock. We have thirty-two commercial warehouses under contract of which we utilize twenty-one, and often we ship out of ten at one time for one shipment.

The CHAIRMAN. Let's assume the army in Europe needs a million bushels of corn. Let's take that figure. After you procure that do you invoice it directly to the point in Europe where they want it?

Lt. Col. TODD. No.

Col. BAUKNIGHT. There might be separate awards, and separate instruments, separate army shipping documents employed, and this one employee would never be able to implement all of those instruments into the one purchase you mention.

Mr. SCHINE. Actually the bases abroad requisition their supplies, don't they?

Col. BAUKNIGHT. Yes.

Mr. SCHINE. Do those requisitions come to your First Army?

Lt. Col. TODD. An extract of it.

Mr. SCHINE. The requisition would indicate the need?

Lt. Col. TODD. The entire requisition in the case of overall needs—steel—

Mr. SCHINE. If somebody had access to the requisition they might be able to determine strength from that?

Lt. Col. TODD. Again, that calls—

Col. BAUKNIGHT. I think I know what he is after. The non-perishables would be extracted from the Schenectady depot, something separate from the perishables, and the reconciliation would only be effected here at the office.

Mr. SCHINE. Let's say we have two Communists working in the Schenectady depot and two in your office, and they had access to the information in the requisitions as well as the invoices being made out. Could they gather material which would indicate troop strength abroad?

Lt. Col. TODD. Let me say this. The invoices are not important, because the only charge is for the commodities which we purchase either for stock purchases, and which again the level is different on all your commodities, or for general.

Mr. SCHINE. Wouldn't your invoice indicate your response to the requisition?

Lt. Col. TODD. No, because most of it is taken out of stock. I would say 80 percent of it. We try to move stock items. So we try to stock all the items for which there is a constant demand. The exceptional commodities maybe twice a year.

Mr. SCHINE. Getting back to the requisition then, if the army abroad requisitioned so many bushels of some item, that would indicate their strength, wouldn't it?

Col. BAUKNIGHT. No, it wouldn't.

Lt. Col. TODD. Colonel, maybe I can explain it this way. The overseas bases again has certain levels that they maintain as stock levels, based on the commodities. Frozen beef stands up longer than frozen pork, and vegetables longer than fruit. So, based on that, their stock items depend on other factors, endurance of the product, plus the menus established. You don't eat corn every day, or peas. And depending if they are on maneuvers, they are on K or C or maybe a B ration. So all those factors have to be evaluated before there is anything concrete.

Col. BAUKNIGHT. Plus this. The overseas bases are engaged in seasonal procurement themselves, and that makes the requisitions to us go up and down.

The CHAIRMAN. In other words, is this a fair analysis? Even if I were in your department, and let's assume I am a Communist agent, so that I could get information of some value, but I would not be able to make an accurate estimate of troop strength solely from the information received?

Col. BAUKNIGHT. That is right.

The CHAIRMAN. But as part of the pattern it would be of considerable help.

Lt. Col. TODD. I would like to throw this out. We have gone into the stocking of the items of beef liver, and beef tenderloin based on requirements in the past. All of a sudden the biggest users come in with no requirements for beef liver. That gives you an indication. I try to base my replenishing on past experience, plus everything else I can get.

The CHAIRMAN. One other question. Are the invoices and requisitions classified?

Lt. Col. TODD. No, sir, they are not.

The CHAIRMAN. How about the ordinary paper work over there as to procurement shipments?

Lt. Col. TODD. No, sir, because we have to ship by common carrier. We have to use commercial warehouses, so we couldn't classify it.

The CHAIRMAN. Do you gentlemen have anything to do with passing upon the security of—

Col. BAUKNIGHT. They are screened by the personnel office. I take it that is what you have reference to.

The CHAIRMAN. Yes.

Col. BAUKNIGHT. Part of the Inspection Service Command. We merely accept what they give us. It is based on the reports of personnel.

The CHAIRMAN. You depend upon G-2?

Col. BAUKNIGHT. That is right.

The CHAIRMAN. So in so far as the woman, Mrs. Powell, is concerned, and as far as Mr. Feldman is concerned, neither of you have the function of determining whether or not they are loyal or disloyal?

Lt. Col. TODD. No, sir.

The CHAIRMAN. So if it is brought to your attention I assume you would contact—

Col. BAUKNIGHT. My records do reflect, however, that some of it initiated in our own office. Action has been taken to separate her.

The CHAIRMAN. Her testimony was she passed the loyalty board hearing and was only on leave by her own request.

Col. BAUKNIGHT. The director told me before I left she was leaving, from the record.

The CHAIRMAN. I thought the loyalty board cleared her?

Lt. Col. TODD. Maybe she is being discharged for other reasons.

Col. BAUKNIGHT. I think it was performance more than anything else.

Mr. SCHINE. If you knew you had a Communist working in your department, in view of the fact that this Communist couldn't turn over anything of value to the party, would it concern you at all that the Communist was still working there?

Col. BAUKNIGHT. We would separate that person. We would call in the FBI if the party was circumspect.

Mr. SCHINE. You think a Communist could be of value to the party in the procurement end?

Col. BAUKNIGHT. I don't understand what contribution a Communist could render by knowing procurement information there. Does that answer your question?

Mr. SCHINE. Yes.

The CHAIRMAN. Again I want to thank you gentlemen very much. We don't like to disrupt your office by calling you down for the hearing.

Col. BAUKNIGHT. We came without preparation and I am afraid we muddled the water a little.

The CHAIRMAN. We don't usually call you on such short notice. We had some men from G-2 that we thought could give us the information in regard to the classification of your work in your department.

[Witness excused.]

**TESTIMONY OF DORIS WALTERS POWELL (ACCOMPANIED BY  
HER COUNSEL, JOSEPH C. MORRIS) (RESUMED)**

[The witness was represented by Joseph C. Morris, Esq., 209 West 125th Street, New York City.]

The CHAIRMAN. We will have the record show the witness is reminded she is still under oath.

Mr. COHN. Now, Mrs. Powell, during the years 1947—and you may confer with your counsel any time you want to. During the years 1947 and 1948, were you a member of the Communist party?

Mrs. POWELL. I decline to answer on the ground of the Fifth Amendment.

Mr. COHN. Are you today a member of the Communist party?

Mrs. POWELL. No, I am not.

Mr. COHN. In 1949, were you a member of the Communist party?

Mrs. POWELL. No, I was not.

The CHAIRMAN. Did you ever work for the *Daily Worker*?

Mrs. POWELL. No, I never have.

The CHAIRMAN. Did you know Louis Budenz?

Mrs. POWELL. What did you say?

The CHAIRMAN. Did you know a man, editor of the *Daily Worker*, whose name was Louis Budenz?

Mrs. POWELL. No.

Mr. COHN. Were you ever at the office of the *Daily Worker*?

Mrs. POWELL. No. I went down to a printing office in my line of duty. I don't know whether the *Daily Worker* was there or not. It was a printing office.

Mr. COHN. That will be all, I think.

Counsel, that will be all. I don't know that we will need this witness again. If we do we will let you know, and if we do it will be for a very short time.

Mr. MORRIS. May I be permitted to make a statement with respect to one of the statements that appeared in the press this morning in connection with the examination of this witness yesterday?

The CHAIRMAN. I may say many things appear in the papers that I don't like. I assume that there are things in the paper you don't like. It won't do either one of us any good to make a record here about what we think about the reporting about either the activities of the committee or anyone else. If I were to spend my time here complaining about the type of coverage we got of our committee hearings nothing would be gained by it and nothing will be gained by an expression of your views of the press either.

You can make a statement if you want to.

Mr. MORRIS. It wasn't really so much an expression of my views, but just to correct, if I may so put it, some of the factual, alleged factual observations made in the papers, various papers of today's issue.

One is that this witness has for three years had access on the job to classified information. The fact is that she has worked in her job as procurement clerk only from May 1952 to September 1952, when she obtained maternity leave to give birth to a boy who was born, I think, in October 1952. Ever since September 1952, she has not worked on this job. She had first six months' leave of absence, maternity leave. It expires September 1953.

Another point made in the papers was that she is a card-carrying Communist. At this moment we will not go into her activities—

The CHAIRMAN. May I say this, Counsel?

If the papers called her a card-carrying Communist, there is no control that we have over that. We told the papers the other day that we had a witness who admitted she received a membership card, she said she didn't know what that meant, but I don't think we want to fill up the record with what you and I think is the record.

Mr. MORRIS. I will take just two minutes. Whatever activities she may have been engaged in on which various constructions may have been put, during the time she worked for the paper, and especially the last year she worked for the *People's Voice*, certainly she has not engaged in any of those activities, or met with or consorted with any of those people since that time, and since then she has held other jobs and been entirely out of that category of relations or contacts.

Now. It also said that during that period she attended a Communist school. That, too, was that at the direction of certain others under whom she worked at that time? She has not attended that school, or any school of that nature, since. She was told to do that, to discuss, to listen, to lecture on Negro problems. Those activities lasted and were limited only to that period.

The witness also is still at this moment on maternity leave, but the witness is uncertain whether her usefulness on her job has not been destroyed by those allegations in the newspapers which undoubtedly will be brought to the attention of her superiors where she works, and as a worker in her line of work, which is typist and secretary and stenographer, I have been privileged to see some very high commendations for her work which she has had, and I am expressing her view that some of the allegations made in the newspapers are not putting her in a factual light as far as her activities, and certainly her activities since she left this paper, because there is nothing that can be said of her activities prior to, or since, or even for the first three years she was on this paper, or since she left this paper, on which there is the remotest possibility of any unfavorable construction being put.

And that is all.

The CHAIRMAN. You will be excused. If we want you again we will notify your attorney.

[Witness excused.]

[Whereupon, at 12:30 p.m., a recess was taken until 2:00 p.m. of the same day.]

#### AFTERNOON SESSION

[2:10 p.m.]

#### TESTIMONY OF FRANCESCO PALMIERO (RESUMED)

Mr. COHN. Mr. Palmiero, what exactly do you do as security officer?

Mr. PALMIERO. I check passing GIs, and watch if they have approval. If approval, it has to be accompanied by a pass. That is just the job. I watch the GIs.

Mr. COHN. Do you have keys to the various rooms in the building?

Mr. PALMIERO. No, I have no keys at all. You see, they put me in a spot down there. Actually, I don't belong down there, but it is feasible to put me in that spot down there.

Mr. COHN. How long have you been in that spot?

Mr. PALMIERO. I have been in that spot three years. Before that I was all over.

Mr. COHN. Before that, did you have keys?

Mr. PALMIERO. I didn't have the keys, but I was all around the building.

Mr. COHN. Do they have any secret things going on in the building?

Mr. PALMIERO. I wouldn't know. I was doing a good job. Whatever I did, I was doing a good job, and I was surprised they put me in that spot where I am now.

Mr. COHN. Now, it is your responsibility to see that they don't take out files or things that they shouldn't take out?

Mr. PALMIERO. Right.

Mr. COHN. Now, Mr. Palmiero, have you ever been a Communist?

Mr. PALMIERO. No, I have never been a Communist.

Mr. COHN. You signed the petition, did you not?

Mr. PALMIERO. Well, I signed a petition that had been shown to me. The army also showed me that. But I actually thought it was the American Labor party because—

Mr. COHN. Were you ever a member of the American Labor party?

Mr. PALMIERO. No, I never was, but I had a friend who used to tell me all the time.

Mr. COHN. Didn't you know that the American Labor party was Communist-controlled?

Mr. PALMIERO. Never. Never had any idea.

Mr. COHN. Do you read the newspapers?

Mr. PALMIERO. I don't read much. I read once in a while on Saturday, my day off. On the job there, when I have a few moments, I glance at the newspapers.

Mr. COHN. What did you think of Stalin?

Mr. PALMIERO. I wouldn't know. I wouldn't think any person I wouldn't know. I have no—

Mr. COHN. You don't have any opinion?

Mr. PALMIERO. I wouldn't say yes or no, because I wouldn't know. I know that the man is premier there.

Mr. COHN. What do you think of communism?

Mr. PALMIERO. Well, communism to me is an idea for those who like the idea. Personally speaking, I have no use for the party or the idea, because I lived in Fascism for many years. I thought I was here for probably—

Mr. COHN. How about communism?

Mr. PALMIERO. Communism, I would have no idea. I don't know the merits or demerits of it.

The CHAIRMAN. Do you think Fascism is pretty bad?

Mr. PALMIERO. Fascism, I get along pretty well. Nobody bothered me, and I had a responsible job in the army, and I got out pretty well there. That is just speaking as an individual now.

Mr. COHN. Do you ever read the *Daily Worker*?

Mr. PALMIERO. No. Sometime about '46 or '47 I found a copy of the *Daily Worker* pushed under my door, and then next week they come around and said, "How do you like it? We pushed under your door that copy of the *Daily Worker*. See if you like it." I told them I didn't bother with reading it. I bothered with my own problems, I couldn't be bothered with the *Daily Worker*.

Mr. COHN. Did they keep putting it under your door?

Mr. PALMIERO. Yes, they kept on putting pamphlets, more pamphlets.

Mr. COHN. Did you ever make any speeches down at Union Square?

Mr. PALMIERO. No. First of all, I am not able to make a speech. That is the honest truth.

Mr. COHN. Did you ever make a speech for the American Labor party?

Mr. PALMIERO. No, I listened to—

Mr. COHN. Did you ever go to any Communist meetings?

Mr. PALMIERO. No, I never did.

Mr. COHN. You never went to any Communist meeting?

Mr. PALMIERO. No, but they were meeting on the street in the project where I live. He was saying about the workers should be together and fight for price control.

Mr. COHN. Were they Communist meetings?

Mr. PALMIERO. What?

Mr. COHN. Were they Communist party meetings?

Mr. PALMIERO. According to the sign they had down there, I assume they must have been Communists, for they had a big sign—this big [indicating]—so I assume—

Mr. COHN. How many of those meetings did you go to?

Mr. PALMIERO. Well, I saw twice, just passing by. I didn't go purposely. I passed the project and I saw they were talking on the microphone. So I listened across the street.

Mr. COHN. Did you ever tell anybody that you believed in communism?

Mr. PALMIERO. That is impossible. That is something out of this world. I never told anybody, my friends, or other people, whoever I met.

Mr. COHN. What did you tell them about communism?

Mr. PALMIERO. People talk to me because they want me to grow toward their ideas, but I told them I can't be bothered. First of all, I said I come from the army in better shape. Secondly, I must work for the government here or elsewhere. No matter what country, I work for the government. I have to look for myself, my own individual living, and I don't want to be bothered with them. But I must admit the American Labor party was more forcible to try to make me in the party. They came around so many times. Actually, I told them to get out, because they find on the registration my name was down there.

Mr. COHN. You say you signed the Communist party petition saying you intended to support the candidates for the Communist party in the election?

Mr. PALMIERO. They told me when they come to me—you showed me yesterday—they told me this is a minority party, they want the men on the ballot, this man is a good workingman down there, and they want me to vote for the party, simply to get signatures that we need, so that doesn't make you a Communist. I told them I don't want to sign anything like that. But this was not specific about the Communists.

Mr. COHN. You can read this, can't you [referring to photostatic copy of Communist party petition]?

Mr. PALMIERO. Yes.

Mr. COHN. Well, that is pretty specific.

Mr. PALMIERO. Well, it appears specific to me, but I thought it was the American Labor party.

Mr. COHN. You thought what?

Mr. PALMIERO. I thought it was the American Labor party.

Mr. COHN. Does it say "American Labor Party"?

Mr. PALMIERO. No, it doesn't say that.

Mr. COHN. It says, "Communist Party," doesn't it?

Mr. PALMIERO. Yes.

Mr. COHN. You said here that you promised to support the candidates of the Communist party.

Mr. PALMIERO. I never read it. Honest. I never read that. Not only that, I never read the other petitions I signed.

Mr. COHN. What is that?

Mr. PALMIERO. I didn't even read the other petitions I signed.

Mr. COHN. You didn't read it?

Mr. PALMIERO. No, sir, I never read.

Mr. COHN. Are you married at the present time?

Mr. PALMIERO. Yes, I am married.

Mr. COHN. When were you married?

Mr. PALMIERO. I was married 1948.

Mr. COHN. Are you living with your wife?

Mr. PALMIERO. No, I am not living with my wife.

Mr. COHN. How long have you been separated?

Mr. PALMIERO. I have been separated—legally separated, about three years.

Mr. COHN. Do you ever read any books on communism?

Mr. PALMIERO. No, I never read any books. Whatever I know about communism I know about communism through Italian sources. In school they mention about what they call Bolshevism out there. They never mention communism at all. Every time they are talking about it, they say Bolshevism.

Mr. COHN. You never had time?

Mr. PALMIERO. No, I never had the time, because I have been with the Italian writer, and he was what you call—not this way, that way, just to give description—he called it "bread." I can't translate it from the Italian. But it was too annoying, too much of a thinking about, so I just discarded it.

Mr. COHN. When did you come to this country?

Mr. PALMIERO. I came to this country in 1929, in June sometime. In June 1929.

Mr. COHN. Now, when you were at these meetings, these Communist meetings, out near the project that you told us about, did you sign any petitions when you were at those meetings?

Mr. PALMIERO. No, I never signed anything at the meetings. When they came, they came in the house.

Mr. COHN. How many times did you sign Communist petitions?

Mr. PALMIERO. I don't know. I have no idea. I know I signed a couple of times. I signed twice.

Mr. COHN. You signed two Communist petitions?

Mr. PALMIERO. I did not, no. I signed about—

Mr. COHN. How many Communist petitions? This is one, isn't it?

Mr. PALMIERO. Yes, sir.

Mr. COHN. Did you ever sign any others like this?

Mr. PALMIERO. I have no idea, because I never read.

Mr. COHN. You can read this—"Communist Party"?

Mr. PALMIERO. Yes.

Mr. COHN. You know what that means—"Communist Party." It believes in Communist teaching, and doesn't believe in our government. That is serious, isn't it?

Mr. PALMIERO. If you are supposed to belong to the party, you support that, but—

Mr. COHN. You belonged to—you registered in the American Labor party?

Mr. PALMIERO. I registered because they told me there was no way to vote for Wallace. They said there was no way out. If you want to vote for Wallace, you have to register. So I registered. I could register and vote for Wallace anyhow. I mean, I just was simple, and went off to register.

Mr. COHN. So the reason you registered in the American Labor party is because it was the only way to vote for Wallace?

Mr. PALMIERO. That is right. That is what they told me. They told me it was a vote for Wallace.

Mr. COHN. Now, did you ever belong to the New York Tenants Council?

Mr. PALMIERO. No.

Mr. COHN. Did you ever go to Washington?

Mr. PALMIERO. No.

Mr. COHN. You have never been to Washington, D.C. in your life?

Mr. PALMIERO. No, I have been to Washington, D.C. with the American Veterans Committee. They sent me down there because somebody counting to be down there wasn't going that day, so I went to Washington for the trip.

Mr. COHN. You went for the trip?

Mr. PALMIERO. Yes. I was not a spokesman anyhow, and I had never been there.

Mr. COHN. Did they pay your expenses?

Mr. PALMIERO. I don't remember. No, I don't remember. They paid my ticket, I know that much, but I don't know about my expenses for food.

Mr. COHN. Did you ever pay money for the *Daily Worker*?

Mr. PALMIERO. No, I never paid money for the *Daily Worker*.

Mr. COHN. You never gave anybody money for the *Daily Worker*?

Mr. PALMIERO. I never gave anybody any money for the *Daily Worker*.

Mr. COHN. Did you ever give any money to support the Communist cause?

Mr. PALMIERO. No, I never supported any cause.

Mr. COHN. Did anybody ask you to join the Communist party?

Mr. PALMIERO. Several persons asked me—not to join it—the American Labor party asked me.

Mr. COHN. Did anybody ask you to join the Communist party?

Mr. PALMIERO. No.

Mr. COHN. Who asked you to join the American Labor party?

Mr. PALMIERO. The project down there. But I don't see them no more around here. No one I used to know is living down there from the American Labor party. They used to come around there.

Mr. COHN. Are you registered now in any party?

Mr. PALMIERO. I don't remember what party I registered. Last time I think I voted for the Democrats.

Mr. COHN. In other words, what we have is that you were registered in the American Labor party because you wanted to vote for Wallace?

Mr. PALMIERO. That is right.

Mr. COHN. You signed the Communist party nominating petition so the Communist party could get on the ballot, and they stuck the *Daily Worker* under your door?

Mr. PALMIERO. That is right.

Mr. COHN. And as far as communism is concerned, you haven't had time to go into the merits or demerits?

Mr. PALMIERO. That is right.

The CHAIRMAN. In other words, you are neither for nor against communism at this time? You are neither for nor against communism?

Mr. PALMIERO. Well, before I am against any political party, I have to know what they are selling me. I have to know the idea. I don't know what it is. If you ask me, I don't know. They told me liberalism.

The CHAIRMAN. How about Fascism? Have you any quarrel against Fascists?

Mr. PALMIERO. Well, the Fascists, I couldn't say that, I don't know. I don't know.

The CHAIRMAN. How about the Naziists? Are you for or against them?

Mr. PALMIERO. They didn't do anything to me. I don't know what they did. They claim they were a criminal bunch of cutthroats, but I don't find this in Italy. I don't find anything of the sort. They told me over here they were knocking people over—

Mr. COHN. Did you ever know any Communists?

Mr. PALMIERO. I never knew any Communists. They don't come around and tell you.

Mr. COHN. Did you ever have any Communist teachers when you went to school?

Mr. PALMIERO. What school?

Mr. COHN. Any school, here or in Italy.

Mr. PALMIERO. Well, in Italy, while I go to high school there was a professor of history there. He give you in a superficial way more or less what Bolshevism was. This was 1924 when I was third year high school. But they gave him six months pay and he laid off. I met him on the street one time and he told me Fascism was bad, and I said, "Well, I am too young to worry about what is bad." I went out with the girls here and there, and I was always military minded. I was military minded.

The CHAIRMAN. Do you know who Robert Thompson was?

Mr. PALMIERO. No. I read that in the papers.

The CHAIRMAN. Do you know if Thompson was one of the top-most members of the Communist party?

Mr. PALMIERO. I don't know about that.

The CHAIRMAN. Do you know it now?

Mr. PALMIERO. Yes. Well, you are telling me now.

The CHAIRMAN. Well, you read in the papers. What did you read in the papers?

Mr. PALMIERO. I read he was caught somewhere in California.

Mr. COHN. What paper did you read that in?

Mr. PALMIERO. I read that in the news.

The CHAIRMAN. And what was he caught for? Do you know?

Mr. PALMIERO. Let me see. The paper said he was a fugitive from justice.

The CHAIRMAN. Yes, what for? Was it for bank robbery?

Mr. PALMIERO. I really don't know. I don't know why he was running away. I really don't know. I don't recollect anything about his running away. I noticed he was a fugitive from justice.

The CHAIRMAN. In other words, you recall the name Robert Thompson, but you don't know why he was running away?

Mr. PALMIERO. No. I saw he was running away, and running away from justice. He was running from justice. That is what I read.

The CHAIRMAN. You don't know whether it was because he was convicted as a Communist, do you?

Mr. PALMIERO. Well, there was a trial years ago. I didn't hear nothing about the trial. It was too monotonous. I didn't look at the papers. As a matter of fact, I don't read the paper now. I buy the *Times* on Saturday, and during the days I read all the papers that come along.

The CHAIRMAN. You do a lot of reading?

Mr. PALMIERO. No, I am a very poor reader. I stopped reading since I was the age about twenty, to be exact, in the army.

The CHAIRMAN. Can you tell us this? We are trying to get at the truth. Sometimes it is difficult. Can you tell us why the name Robert Thompson sticks in your mind?

Mr. PALMIERO. It don't stick to my mind at all. Officially I saw it in the paper. I don't bought the paper to know what went on. The paper came in my hand, and I read about the story, somebody in California was caught with some other people down there, and a girl who was down there—something like that. A girl was involved. But the rest I can't tell you.

The CHAIRMAN. Mr. Palmiero, you tell us you read a story about Robert Thompson. You tell us you read very little, but strangely enough you didn't know he was picked up for being a Communist.

Mr. PALMIERO. I—

The CHAIRMAN. Wait a minute. You know he was picked up. You know where he was picked up. You remember the name, but you miss the all-important thing. You seem to have forgotten he was picked up because he was a convicted leader of the Communist party. Now, I may say that maybe you are telling the truth. I don't believe that. When you come here and say, "I know all about Robert Thompson," the minute I ask you, "I know he was arrested, I know he was arrested out in California," but you say, "I don't know what he was arrested for," especially after you signed a petition saying you will support him. It seems unusual to me that you have no idea what he was picked up for.

Mr. PALMIERO. I have never been interested. I started to say before I don't make myself enough explicit. I never passed individually here and there. What are individuals to me? I have my own problems. I am not going to get involved with persons here and there. Am I supposed to know who was in jail?

The CHAIRMAN. Did you ever pledge yourself to support Robert Thompson in the election?

Mr. PALMIERO. Very seldom I heard the name.

The CHAIRMAN. You heard my question. Did you ever pledge to support Robert Thompson?

Mr. PALMIERO. No. No, I never did.

The CHAIRMAN. Well, did you ever sign a pledge that you would support him?

Mr. PALMIERO. No. No, I never signed any pledge.

The CHAIRMAN. Well, let me show you the pledge.

Mr. PALMIERO. Yes.

The CHAIRMAN. Entitled "Communist Party," and under that is the name, "Robert Thompson," and a lot of known Communists. Is that your signature?

Mr. PALMIERO. Yes, but as I said before, I didn't read. To be honest, I didn't read the petitions at all. I didn't read it. If you asked me what it stand for, I signed school petitions. I am not going to look at the petition. They were looking for the school and I signed also.

The CHAIRMAN. Do you mean to say when you signed that petition with the large headline, "Communist Party"——

Mr. PALMIERO. Probably I thought——

The CHAIRMAN. Let me finish the question. Do you mean to say you signed this petition with the words, "Communist Party" in huge letters, that you didn't know you were signing a Communist party petition?

Mr. PALMIERO. I don't think, because I don't remember the name—they have names here I never heard in my life, except this man here that I see in the paper.

The CHAIRMAN. This is not a very large piece of paper, and you signed it only six inches below the large heading, "Communist Party." Do you mean to tell us you signed this and didn't have any idea what you were signing?

Mr. PALMIERO. No. I thought it was the American Labor party. They always come around and bothered me too much.

The CHAIRMAN. Who came around?

Mr. PALMIERO. Two ladies. They was talking to me and talking to me and said they want to get all the building. They told me.

The CHAIRMAN. You say two ladies?

Mr. PALMIERO. Yes, ladies. I don't know who was——

The CHAIRMAN. Are you sure the man handling that petition wasn't Reuben—that it wasn't a lady, but Reuben?

Mr. PALMIERO. No man. It was a lady. Maybe—I don't know, two or one, but it was a lady. That I am sure.

The CHAIRMAN. You tell us under oath that you didn't see the words "Communist Party" in large letters? You had no idea it was a Communist party petition? You thought it was the American Labor party?

Mr. PALMIERO. That is right.

The CHAIRMAN. Did you know the American Labor party was a Communist party at that time?

Mr. PALMIERO. No. I have not the slightest idea at that time. I thought——

The CHAIRMAN. When did you get your job as a security guard?

Mr. PALMIERO. I got the job in 1949.

The CHAIRMAN. 1949?

Mr. PALMIERO. Yes. Let's see. February 1949.

The CHAIRMAN. Did you work for the government before that?

Mr. PALMIERO. No. I was in the army before that.

The CHAIRMAN. What kind of work did you do in the army?

Mr. PALMIERO. Well, I was infantry, foot soldier.

The CHAIRMAN. A foot soldier?

Mr. PALMIERO. Yes.

The CHAIRMAN. Before you were in the army, did you work for the government?

Mr. PALMIERO. If the WPA was the government. I have no idea about that.

The CHAIRMAN. You worked for the WPA?

Mr. PALMIERO. That is right.

The CHAIRMAN. Didn't you belong to a Communist group in the WPA?

Mr. PALMIERO. Never did.

The CHAIRMAN. Were you ever asked to join?

Mr. PALMIERO. Let me see. Yes. On the job they was trying to get me the worst way there. They was trying to get me in the Work Alliance, but I say I don't need it, whatever I need, I can talk for myself. They wanted me to go here and there, and so I never participated in any of their meetings at all.

The CHAIRMAN. Were you ever asked to join the Communist party when you belonged to the WPA?

Mr. PALMIERO. No, never.

The CHAIRMAN. You mean to say when you were in the WPA you were never even asked to join the Communist party?

Mr. PALMIERO. No, never.

The CHAIRMAN. Did you ever attend any Communist meetings?

Mr. PALMIERO. No, never did.

The CHAIRMAN. Now, as security guard, you have a uniform, I suppose.

Mr. PALMIERO. That is right.

The CHAIRMAN. And a badge?

Mr. PALMIERO. And a badge.

The CHAIRMAN. Did you carry a gun?

Mr. PALMIERO. Yes, I carry a gun.

The CHAIRMAN. And you started that work in 1949?

Mr. PALMIERO. 1949, yes.

The CHAIRMAN. Who were your references?

Mr. PALMIERO. Well, the references—but I don't know who was my reference.

The CHAIRMAN. Don't you have any idea who you gave as references?

Mr. PALMIERO. Well, I will tell you one man. This one I remember because he is still in the project, I know. Paul Cavanna. He was one of my references.

The CHAIRMAN. Do you know Paul Cavanna as a Communist?

Mr. PALMIERO. No, he has never been a Communist.

The CHAIRMAN. Do you know he signed Communist pledges?

Mr. PALMIERO. I don't know about signing the Communist pledges, but I know he is not a Communist.

The CHAIRMAN. How do you know he is not a Communist?

Mr. PALMIERO. Because he talked to me. He talked to me several times, and I know he is not a Communist.

The CHAIRMAN. Did he ever tell you he was not a Communist?

Mr. PALMIERO. He never talked to me about it. All he talked about was the Liberal party. We were talking about the Liberal party, when O'Dwyer was a candidate.

The CHAIRMAN. Did your wife accuse you of being a Communist?

Mr. PALMIERO. My wife?

The CHAIRMAN. Yes.

Mr. PALMIERO. My wife told me I was a Communist? My wife never made any statement of the sort.

The CHAIRMAN. Did you ever tell your wife whether or not you were joining the Communist party?

Mr. PALMIERO. Never. We never discussed politics in general.

The CHAIRMAN. Did you ever discuss the Communist party with your former wife?

Mr. PALMIERO. Which wife are you talking about?

The CHAIRMAN. Your present wife, the one who is separated from you.

Mr. PALMIERO. I never talked politics with her, first of all.

The CHAIRMAN. Did you ever discuss the Communist party with her? That is not politics, that is a conspiracy.

Mr. PALMIERO. Well, I never talked with her anything about communism in general or any other politics.

The CHAIRMAN. Well, you say "in general." Did you ever discuss anything about the Communist party with her?

Mr. PALMIERO. No. All I remember discussing with her was about Wallace.

The CHAIRMAN. I don't care about Wallace. The question is did you discuss the Communist party, and your answer is "no"?

Mr. PALMIERO. No, I didn't.

The CHAIRMAN. Let me tell you, you can refuse to answer any questions about your wife if you care to. You have a right to know that. I want you to know that, because there is a privilege between husband and wife. If you want to refuse to answer you can do so, and I shall inform you that the evidence we have is completely contrary to what you have told us. So I advise you to listen carefully and either tell us the truth or refuse to answer. Did you ever tell your wife that you believed in communism, that you were for it?

Mr. PALMIERO. Never did.

The CHAIRMAN. Did you ever tell her that you were not joining the party because if you joined it the FBI or the government might find out and you might lose your job, and that was the reason you did not join it?

Mr. PALMIERO. Well, Senator, I said "no" to the question.

The CHAIRMAN. All right. Now, in this job as a security guard you stand inside a gate, do you?

Mr. PALMIERO. Well, inside and outside. I have to look around what is going on outside.

The CHAIRMAN. Your job is to make sure that nobody takes anything out of that place which they are not entitled to take out?

Mr. PALMIERO. That is right.

The CHAIRMAN. What is inside of the gate?

Mr. PALMIERO. Inside the gate is trucks. There are trucks. All the trucks are parked down there.

The CHAIRMAN. What goes on inside the entire enclosure?

Mr. PALMIERO. Well, in the place where I am working now, the troops sleep in barracks, and the rest of the quadrangle is occupied by various trucks.

The CHAIRMAN. Is there a photographic department there?

Mr. PALMIERO. There is, but it is the next building right next to where I am.

The CHAIRMAN. And one of your tasks is to make sure that no one takes out of that place secret, confidential pictures?

Mr. PALMIERO. My task actually is cameras, lamps of any sort, or any packages, any parcel. Any parcel they open up or they have a pass for it. If I am suspicious, I tell them to open up. If I am suspicious that it probably is something they are not supposed to take. That is my own discretion.

The CHAIRMAN. What kind of pictures are developed in there?

Mr. PALMIERO. Senator, I know that there is color, and black and white, but I never—

The CHAIRMAN. Pictures of what? Why do they have a guard to make sure the pictures are not taken out?

Mr. PALMIERO. They don't tell us. They told us strictly watch the film, but they don't tell us at all. I am not informed. Even when I am working all around the post.

The CHAIRMAN. You have no idea what kind of pictures are developed?

Mr. PALMIERO. I have no idea. I knew color film, and black and white, but personally I have no idea what they actually are producing down there.

The CHAIRMAN. How big a building is it?

Mr. PALMIERO. Well, a pretty large building. I think it is about half a block where I am working.

The CHAIRMAN. This half a block building, is that used for the film pictures?

Mr. PALMIERO. Yes, they have a large room where they make a film down there, and then they have a laboratory some other place, the next building on 37th Street they have a laboratory.

The CHAIRMAN. Who is in charge of the photographic building?

Mr. PALMIERO. The photographic building would be Colonel Lindsay.

The CHAIRMAN. Colonel Lindsay?

Mr. PALMIERO. That is right.

The CHAIRMAN. And how many men work on the film process?

Mr. PALMIERO. I wouldn't know.

The CHAIRMAN. Well, would it be more than twenty-five, fifty, seventy-five?

Mr. PALMIERO. Oh, I would assume more than that. I would say about a hundred or so more.

The CHAIRMAN. And they are army films they produce?

Mr. PALMIERO. Yes, army films.

The CHAIRMAN. And whether those are labeled secret or not, you don't know?

Mr. PALMIERO. They are supposed to be classified, and I hold the fellow there if he has no pass for it. Unless he has a pass I refer it to my chief guard. So everything was taken care of.

The CHAIRMAN. You don't know whether those films are of secret weapons, or whether they are training films or—

Mr. PALMIERO. On my own assumption. It is merely my assumption. I don't know what films they are.

The CHAIRMAN. Have you ever had any of those films in your possession?

Mr. PALMIERO. Sure, when I was a tour man, where I worked about a year and a half, when I was all over, if anybody left the vaults open and left the lights on, and without looking at it there I saw films in there, and I shut it up, that is all.

The CHAIRMAN. In other words, as a guard you would go in and check and make sure the vaults were closed and the lights off?

Mr. PALMIERO. That is right, and no lights on.

The CHAIRMAN. Thank you. Let's see if I get the picture. As well as guarding the gates, you were charged with going in, looking through the plant, making sure that the films were locked up, that the vaults were locked—

Mr. PALMIERO. Excuse me. When I was a tour man, if I am on the post I stay on the post, but at the beginning they put me as a tour man, and they saw I was capable then to do a job conscientiously and they put me mostly steady on this. My surprise was when they shifted me. I was asking what it was all about. They never tell me nothing.

The CHAIRMAN. You haven't answered my question yet.

Mr. PALMIERO. Will you repeat it?

The CHAIRMAN. The question is, was it part of your job to go into this building where the films were developed, check, make sure the films were locked up in the safe, that the vaults were locked, and occasionally you found the vaults open?

Mr. PALMIERO. Yes.

The CHAIRMAN. You could have stolen the films?

Mr. PALMIERO. Yes, if I saw the lights on I turned them off.

The CHAIRMAN. I say, if you had wanted to, you could have stolen those films, couldn't you?

Mr. PALMIERO. I don't dare do that because, after all, the government trusts me, and I wanted them to trust me. I trusted them. Otherwise, I give up the job.

The CHAIRMAN. My question is, if I were in your position, if I wanted to steal those films, if I were not loyal to the government, I could have stolen them easily, couldn't I?

Mr. PALMIERO. I don't think so, because how would I get out of the gate?

The CHAIRMAN. Weren't you guarding the gate?

Mr. PALMIERO. No. As a tour man. At that time I was a tour man. When I am in the post I am in the post. But I was scheduled as a tour man.

The CHAIRMAN. Let's start all over. You are now a guard?

Mr. PALMIERO. That is right.

The CHAIRMAN. Is one of your jobs to go into the building, the film building, and check to make sure the films are properly locked up?

Mr. PALMIERO. Senator, I answer in my own way.

The CHAIRMAN. Do you as a guard have duties other than to stand inside the gate?

Mr. PALMIERO. Yes, when I am scheduled as a tour man. As the tour man in the building. We have guards, and there is a tour man.

The CHAIRMAN. He is a guard, too?

Mr. PALMIERO. Yes. He is a tour man. At that time I happened to be a tour man. I was a tour man, sir. At the beginning I did this about a year and a half, something like that.

The CHAIRMAN. Since you have been a guard at the gate, do you have the duty of going in and checking inside the building?

Mr. PALMIERO. No.

The CHAIRMAN. Now, when you were a guard checking inside the building, when you left the place did the guard at the gate stop you—did the other guards stop you and ask you if you had any films on you?

Mr. PALMIERO. No. He saw. Naturally, he can see. I mean, we trusted one another. He see I don't carry anything with me.

The CHAIRMAN. He trusted you?

Mr. PALMIERO. He trusted me because I have nothing with me.

The CHAIRMAN. If you have a small roll of films you could put it in your shirt pocket, couldn't you?

Mr. PALMIERO. They are not small. They are big. The ones I saw. If they was some place else I don't know. But I know there was a big disk like that [indicating] that I saw.

The CHAIRMAN. Did you ever take any films off the property?

Mr. PALMIERO. Never did. Never did. I stop other people taking films out, but I never did. I wouldn't do that.

Mr. CARR. Do you know a man named Augustus Arrigo?

Mr. PALMIERO. Yes, I do. This is one that gave me a reference.

Mr. CARR. He lives out on Vernon Boulevard?

Mr. PALMIERO. He used to live there.

Mr. CARR. How do you spell that name?

Mr. PALMIERO. I have got to be back to work soon. I can be in tomorrow if you want me to come back again.

Mr. CARR. How do you spell his last name?

Mr. PALMIERO. A-r-r-i-g-o.

Mr. CARR. Did you ever attend any meetings of the American Slav Congress with him?

Mr. PALMIERO. Never did.

Mr. CARR. You never did?

Mr. PALMIERO. Never at all.

Mr. CARR. Did you ever attend any IWO meetings with this man?

Mr. PALMIERO. No.

Mr. CARR. The International Workers Order?

Mr. PALMIERO. Oh, this man once upon a time decide to but—

Mr. CARR. This man Arrigo?

Mr. PALMIERO. He used to approach me, but I don't know if he was an IWO. He said to me what chances IWO had. I said I don't want any IWO. I have got the army. I don't have insurance at all.

Mr. CARR. This man, Augustus Arrigo, is one of your references?

Mr. PALMIERO. That is right.

Mr. CARR. Now, Paul Cavanna is another reference?

Mr. PALMIERO. That is right.

Mr. CARR. They are both friends of yours?

Mr. PALMIERO. That is right.

Mr. CARR. And you didn't know Augustus Arrigo had anything to do with the American Slav Congress?

Mr. PALMIERO. No. That I am sure of.

Mr. CARR. But he did approach you to join the IWO?

Mr. PALMIERO. Yes.

Mr. CARR. And you didn't join?

Mr. PALMIERO. I didn't join.

Mr. CARR. Did you ever go to any meetings of the IWO?

Mr. PALMIERO. I don't know where they were meeting. I wasn't interested. I was interested in my marriage—I was in my marriage problems.

The CHAIRMAN. You consider yourself under subpoena in case we need you again. We will let you know.

Mr. PALMIERO. Any time you want to appear I will appear.

Mr. CARR. Do you have a phone at your house?

Mr. PALMIERO. No. Good day.

[Witness excused.]

The CHAIRMAN. Miss Cooke, will you raise your right hand and be sworn?

In the matter before the subcommittee, do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss COOKE. I do.

**TESTIMONY OF MARVEL COOKE (ACCOMPANIED BY HER  
COUNSEL, VICTOR RABINOWITZ )**

[The witness was represented by Victor Rabinowitz, Esq., 76 Beaver Street, New York City.]

Mr. COHN. Will you state your name for the record?

Miss COOKE. Marvel Cooke.

Mr. COHN. Where do you reside?

Miss COOKE. 409 Edgecomb Avenue.

Mr. COHN. Is it Mrs. Cooke, or Miss Cooke?

Miss COOKE. Miss Cooke.

Mr. COHN. Are you a member of the Communist party?

Miss COOKE. I refuse to answer. I invoke my privilege of the Fifth Amendment.

Mr. COHN. On the ground your answer might tend to incriminate you?

Miss COOKE. I do.

The CHAIRMAN. Incidentally, what do you have under your hand?

Miss COOKE. The *New York Post*. I am through with it. You may have it if you would like it.

The CHAIRMAN. I don't care for it, thank you.

Mr. COHN. Now, Miss Cooke, were you a member of the Communist party in 1947?

Miss COOKE. I refuse to answer. I invoke my privilege under the Fifth Amendment.

Mr. COHN. Did you ever work for the *People's Voice*?

Miss COOKE. Yes.

Mr. COHN. For how long a period?

Miss COOKE. Four years.

Mr. COHN. What were those years?

Miss COOKE. 1943 to 1947.

Mr. COHN. What was the nature of your duties?

Miss COOKE. Assistant managing director.

Mr. COHN. Who was the managing director?

Miss COOKE. Adam Powell.

Mr. COHN. Did you know a woman named Doris Walters at the People's Voice?

Miss COOKE. Yes.

Mr. COHN. Was she a member of the Communist party?

Miss COOKE. I refuse to answer.

Mr. COHN. You refuse to answer as to whether or not she was a member of the Communist party?

Miss COOKE. I do.

Mr. COHN. I assume you refuse on the ground it might tend to incriminate you?

Miss COOKE. That's right.

Mr. COHN. Were you the Communist party representative at the People's Voice?

Miss COOKE. I refuse to answer on the ground it may tend to incriminate me, under the Fifth Amendment.

Mr. COHN. Did Doris Walters accept instructions from you as to duties to perform for the Communist party at the *People's Voice*?

Miss COOKE. I refuse to answer.

Mr. COHN. Did you instruct Doris Walters to go through the files of the managing director of the *People's Voice* when the managing director was Mr. Brooks?

Miss COOKE. I refuse to answer.

The CHAIRMAN. I think you should state the grounds.

Miss COOKE. Yes. I will invoke my privilege under the Fifth Amendment.

Mr. COHN. Do you know a woman named Madeline Lawrence?

Miss COOKE. Yes.

Mr. COHN. Is she a member of the Communist party?

Miss COOKE. I refuse to answer.

Mr. COHN. Where does Madeline Lawrence live today?

Miss COOKE. I wouldn't know that.

Mr. COHN. When did you last see her?

Miss COOKE. I haven't seen her since the *People's Voice* days.

Mr. COHN. Do you know Doxey Wilkerson?

Miss COOKE. Yes.

Mr. COHN. Is Doxey Wilkerson a member of the Communist party?

Miss COOKE. I refuse to answer on the ground that it may tend to incriminate me.

Mr. COHN. And Ben Davis?

Miss COOKE. I refuse to answer.

Mr. COHN. And Claudia Jones?

Miss COOKE. I refuse to answer.

The CHAIRMAN. May I ask one question? I think you refused to answer whether Doris Walters, now Mrs. Powell, was a member of the Communist party when you knew her.

Miss COOKE. I didn't understand. I didn't hear you.

The CHAIRMAN. I believe you have already refused to answer whether or not Doris Walters, now Mrs. Powell, was a member of

the Communist party when you knew her on the *People's Voice*. Is that correct?

Miss COOKE. The *People's Voice*?

The CHAIRMAN. You refused to answer on the grounds that your answer might tend to incriminate you?

Miss COOKE. That is right.

The CHAIRMAN. You understand you can only refuse to answer if you feel your answer might tend to incriminate you?

Miss COOKE. I understand that.

The CHAIRMAN. You understand, of course, that when you refuse to state whether or not Doris Walters was a Communist on the ground a truthful answer might tend to incriminate you, you are in effect, so far as the committee is concerned, saying she is a Communist, and I assume she is a friend of yours. So, unless you know she is a Communist, you should answer that.

Miss COOKE. I still refuse to answer.

Mr. COHN. What is your occupation today?

Miss COOKE. I refuse to answer on the ground it may tend to incriminate me.

Mr. COHN. Do you receive any money from the Communist party at the present time?

Miss COOKE. I refuse to answer on the ground it may tend to incriminate me.

Mr. COHN. Have you ever worked for the government?

Miss COOKE. In 1926, I believe.

Mr. COHN. In what capacity?

Miss COOKE. Clerk.

Mr. COHN. Where?

Miss COOKE. In Washington.

Mr. COHN. What department?

Miss COOKE. The War Department.

Mr. COHN. For how long a time?

Miss COOKE. About a year. I wouldn't remember exactly. It was about a year.

Mr. COHN. Were you a member of the Communist party at that time?

Miss COOKE. I refuse to answer on the ground it may tend to incriminate me.

Mr. COHN. Have you ever worked for the government since that time?

Miss COOKE. No, I haven't.

The CHAIRMAN. Have you worked for any government agency?

Miss COOKE. I have not.

The CHAIRMAN. Have you ever worked for the government directly or indirectly?

Miss COOKE. I have not.

Mr. COHN. Have you ever attended any Communist meetings with Doris Walters?

Miss COOKE. I refuse to answer.

The CHAIRMAN. When did you last see Doris Walters?

Miss COOKE. Not since 1947. Possibly before that. 1946, possibly.

The CHAIRMAN. Let me ask you this. Would you have any way of knowing whether she is or has been a member of the Communist party since you last saw her?

Miss COOKE. I refuse to answer, Senator, on the ground that it may tend to incriminate me.

Mr. COHN. Have you ever attended any Communist meetings with Doxey Wilkerson?

Miss COOKE. I refuse to answer on the ground it may tend to incriminate me.

The CHAIRMAN. Have you ever engaged in espionage?

Miss COOKE. Just a minute.

The CHAIRMAN. Sure, you may confer with your attorney any time you want to.

Miss COOKE. No, I have not.

The CHAIRMAN. Have you ever received from anyone written material of any government agency which was classified under "secret," "top secret," "confidential," or "restricted"?

Miss COOKE. No.

The CHAIRMAN. In other words, you have never received any classified material from any government agency?

Miss COOKE. No.

The CHAIRMAN. The answer is no?

Miss COOKE. That is right.

The CHAIRMAN. Do you know of anyone who has obtained classified material from any government agency?

Miss COOKE. No.

The CHAIRMAN. You don't know?

Miss COOKE. No.

The CHAIRMAN. You never engaged in any sabotage?

Miss COOKE. No.

The CHAIRMAN. I don't think there is anything further. You will consider yourself under subpoena. I don't think we will need you again, but in case we do I will contact your attorney.

Miss COOKE. Yes.

The CHAIRMAN. Thank you very much.

Miss COOKE. You are welcome.

[Witness excused.]

The CHAIRMAN. Will you raise your right hand?

Do you solemnly swear that in the matter before the subcommittee you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CAVANNA. I do.

#### TESTIMONY OF PAUL CAVANNA

Mr. COHN. Will you state your name for the record?

Mr. CAVANNA. Paul Cavanna.

Mr. COHN. Where do you live?

Mr. CAVANNA. 40-11 Twelfth Street, Long Island City.

Mr. COHN. Do you know Francesco Palmiero?

Mr. CAVANNA. Yes.

Mr. COHN. For how long a period have you known him?

Mr. CAVANNA. Oh, I guess about fifteen years.

Mr. COHN. Were you one of his references for employment with the United States government?

Mr. CAVANNA. Yes.

Mr. COHN. You gave him a very good recommendation as to loyalty?

Mr. CAVANNA. Absolutely.

Mr. COHN. You have no doubt about that?

Mr. CAVANNA. Oh, I have no doubt about it.

Mr. COHN. None at all?

Mr. CAVANNA. No.

Mr. COHN. Would it surprise you to know he had signed a Communist party nominating petition?

Mr. CAVANNA. Well, I guess in a way it would, but he is one of those fellows that—he is pretty liberal, and he is probably apt to do anything. He is very outspoken.

The CHAIRMAN. Do you give it as an excuse that he was very liberal?

Do you consider the Communist party a liberal party?

Mr. CAVANNA. Hell, no.

Mr. COHN. Don't you think that it is past the days of liberalism?

Mr. CAVANNA. Well, today I guess it is.

Mr. COHN. Well, would you say back in 1946?

Mr. CAVANNA. Yes.

Mr. COHN. If you had known he had signed a Communist party nominating petition, would that change your opinion as to whether he should work in a government position?

Mr. CAVANNA. If I had known he had signed a petition?

Mr. COHN. That is right.

Mr. CAVANNA. Well, I guess it would to some degree.

Mr. COHN. Did you ever sign a Communist party nominating petition yourself?

Mr. CAVANNA. No, not that I remember.

Mr. COHN. Wouldn't you remember that?

Mr. CAVANNA. No.

Mr. COHN. You say you did not?

Mr. CAVANNA. No.

The CHAIRMAN. You say you did not?

Mr. CAVANNA. Yes.

Mr. COHN. Have you ever been a registered member of the American Labor party?

Mr. CAVANNA. I think so, yes.

Mr. COHN. Are you today?

Mr. CAVANNA. No.

Mr. COHN. When did you register as a member of the American Labor party?

Mr. CAVANNA. Some years ago. I can't remember.

Mr. COHN. Will you give us the best approximation you can?

Mr. CAVANNA. I think it was when Henry Wallace was a candidate, if I remember right.

Mr. COHN. That would be 1948?

Mr. CAVANNA. Yes, I think that was the year.

Mr. COHN. Did the fact that Mr. Palmiero being a Communist ever come to your attention in any way?

Mr. CAVANNA. No.

Mr. COHN. Did you ever discuss communism with him?

Mr. CAVANNA. No, I wouldn't say. Probably, you know, generally speaking at the time when the different parties were in the field, but not—

Mr. COHN. You have no recollection of how he felt about it?

Mr. CAVANNA. No, I would not say.

The CHAIRMAN. You say you registered as a member of the American Labor party in 1948. Isn't it a fact that you also registered in 1951?

Mr. CAVANNA. I doubt very much that I did.

The CHAIRMAN. Do you consider the American Labor party as a Communist-dominated party?

Mr. CAVANNA. Today?

The CHAIRMAN. Yes.

Mr. CAVANNA. Oh, sure.

The CHAIRMAN. When do you think it could be first correctly described as a completely Communist-dominated party? 1946? '47? '50?

Mr. CAVANNA. I would say right after the Wallace nomination. Probably 1949.

The CHAIRMAN. We have information, whether it is correct or not, because we don't have it under oath at this time, to the effect that you signed a petition for the Communist party. I will show you the type of petition. I might say I don't have the petition that you are alleged to have signed, but this is the type of petition, not necessarily the same candidates on it, you understand, but that type of petition. And again I repeat that we don't have the information under oath, so I can't vouch for it at this time. We intend to get it under oath. But I would like to ask you again, are you sure you didn't sign any Communist petitions?

Mr. CAVANNA. Me?

The CHAIRMAN. Yes.

Mr. CAVANNA. I never seen anything like this. This is the first time I have ever seen anything like this. This is a photostated copy of the petition?

The CHAIRMAN. Not the one you signed. I might say that is a photostated copy of the one which Mr. Palmiero signed.

Mr. CAVANNA. No.

The CHAIRMAN. Is it your testimony that you never signed a Communist petition?

Mr. CAVANNA. Not to my knowledge, sir.

The CHAIRMAN. Well, do you think there is any possibility you signed one and didn't know you were signing it?

Mr. CAVANNA. I would say no to that.

The CHAIRMAN. Mr. Palmiero said that you had had someone's trunks put over into your room, or your apartment?

Mr. CAVANNA. Yes.

The CHAIRMAN. Who was the owner of that?

Mr. CAVANNA. My old friend Morris Weisman. He is not in there for a year and a half now. First he was in Bellevue. And having an empty apartment, Frank said, "How about putting the trunks in there because it to so handy?"

I said, "Sure, go ahead," and they have been there ever since.

Mr. COHN. Have you ever worked for the government?

Mr. CAVANNA. No.

The CHAIRMAN. Where do you work?

Mr. CAVANNA. I am a real estate broker.

Mr. CARR. Do you know a man named Augustus Arrigo?

Mr. CAVANNA. Yes.

Mr. CARR. Where does he live now?

Mr. CAVANNA. I don't know where he lives, but it is not very far from where he used to live. I know the street, but I don't know the number. It is near Broadway, in Astoria.

Mr. CARR. What does he do?

Mr. CAVANNA. Oh, he is right over here in the municipal department.

Mr. CARR. What department is that?

Mr. CAVANNA. The radio department. He is clerk there.

Mr. CARR. In New York City?

Mr. CAVANNA. Yes, right across the street. He is a clerk there. He takes all the mail out and all that kind of stuff.

Mr. CARR. You mean the Municipal Building in New York City?

Mr. CAVANNA. Yes, on the top floor.

Mr. COHN. Did you ever live at 40-11 Twelfth Street?

Mr. CAVANNA. That is where I live now.

Mr. COHN. How long have you been living there?

Mr. CAVANNA. Ever since the project opened up.

Mr. COHN. Did you ever live there in 1946?

Mr. CAVANNA. Sure, ever since it has been there. Ever since 1938. Since 1938.

The CHAIRMAN. You would recognize your signature, if you saw it?

Mr. CAVANNA. Sure.

The CHAIRMAN. Again, Mr. Cavanna, you understand I never saw you before today, so I know nothing about you. You don't have a lawyer with you, and just for your own protection, counsel informs me that there is a copy of a petition bearing what purports to be your signature, signed in 1946, for the Communist party. Now, it is no crime to sign a Communist party petition, understand. It is very important to you, however, that you not be involved in any summons of a perjury case. You have told us you didn't sign one. I think you should search your memory again and make sure that that is your testimony, for your own protection.

Mr. CAVANNA. Well, of course, I agree with you, Senator. I would like to see what you call the petition, because it appears—to my recollection I can't for the moment think that I ever signed anything. I would like to see—

The CHAIRMAN. If I signed a Communist petition, if I signed a petition for Paul Cavanna, or John Jones for any office, I would normally remember that especially.

Mr. CAVANNA. Oh, sure.

The CHAIRMAN. Especially Communist party petitions, and it seems to me if you signed one as late as 1946 you definitely would remember that, wouldn't you?

Mr. CAVANNA. For an office, I would think so, yes.

The CHAIRMAN. In other words, signing a Communist petition wouldn't be a routine thing that you would do without giving a lot of thought to it, I assume?

Mr. CAVANNA. Well, I have signed petitions for teachers' increases, and things like that, and I am trying to think now. For the life of me, if you gave me a million dollars I couldn't say one thing or the other, whether I did or didn't. 1946, you say?

The CHAIRMAN. Yes.

Mr. CAVANNA. This is 1953—seven years ago. I will be hanged if I remember.

The CHAIRMAN. Well, whether you did or didn't is not overly important, but the staff has the petition bearing what purports to be your signature. Either someone forged it or you signed it yourself, for the petition is there.

I think you will be released. Thank you very much.

[Witness excused.]

[Whereupon, at 3:20 p.m., a recess was taken until 10:30 a.m., Wednesday, September 2, 1953.]

## COMMUNIST INFILTRATION AMONG ARMY CIVILIAN WORKERS

[EDITOR'S NOTE.—Just before Francesco Palmiero reported for work as a security guard on the afternoon of September 2, 1953, the army suspended him without pay. Without naming Palmiero, Senator McCarthy told the press that the guard had been “rabidly in favor of Stalin, and looked forward to the day when Communists would take over the country.” McCarthy also revealed that a witness whom he described as a “very close associate” of the guard had received verbal death threats and had been placed under the protection of the New York City Police Department. Mary Colombo Palmiero (1924–1989) was not called to testify in public session, nor were either Augustin Arrigo (1925–1970) or Muriel Silverberg (1920–1992). Louis Budenz (1891–1972), a frequent witness on Communist issues, testified in public on September 28, 1953.

At 4 p.m. that afternoon, Col. Wallace W. Lindsay notified G. David Schine that the army had suspended the guard, and that it would provide the requested personnel files for Palmiero and Doris Walters Powell. However, in a letter to Senator McCarthy, Col. Wendell Johnson wrote: “It should be made as clear as possible to the committee that the names of individuals responsible for the granting or withholding of loyalty or security clearances will not be made available to the committee. This is in accordance with Presidential directive of 13 March 1948.” Col. Johnson explained that he had taken this stand after consultation with Maj. Gen. Miles Reber, the army's chief of legislative liaison in Washington. Senator McCarthy denounced this decision and stated publicly that his subcommittee was “having more difficulty with the army than any other department.” He threatened to call Secretary of Defense Charles E. Wilson and Army Secretary Robert T. Stevens to testify, and suggested that the case might need to be resolved by President Eisenhower.]

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WEDNESDAY, SEPTEMBER 2, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*New York, NY.*

The subcommittee met at 10:30 a.m. pursuant to recess, in room 128, Federal Court House, Foley Square, New York, New York, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; David Schine, chief consultant; and Harold Rainville, administrative assistant to Senator Dirksen.

The CHAIRMAN. The hearing will come to order.

In the matter now in hearing, do you solemnly swear the testimony you will give to the subcommittee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. PALMIERO. I do.

### TESTIMONY OF MARY COLOMBO PALMIERO

The CHAIRMAN. I understand you would much prefer not appearing in public.

Mrs. PALMIERO. No, I don't want to appear in public, and I don't want my name to be known.

The CHAIRMAN. All right, we will give you that assurance.

Mrs. PALMIERO. Thank you.

The CHAIRMAN. The reporter is instructed that no one will get a copy of this testimony except this committee.

Mr. CARR. Mrs. Palmiero, are you legally separated from your husband at this time?

Mrs. PALMIERO. Yes.

Mr. CARR. When did you marry Frank Palmiero?

Mrs. PALMIERO. About—that was in 1948, on November the 21st.

Mr. CARR. Now, prior to your marriage, did you make an agreement with him concerning any matters connected with his previous activity in communism?

Mrs. PALMIERO. What I told you; it was that I had an idea that he liked Russia, you know, he liked Stalin. He used to praise him any chance he had. So I didn't like that, and at time I agree to marry him I told him I didn't like politicians, so he promised me he wouldn't be interested in politics anymore. So under that promise, I marry him.

Mr. CARR. Now, you say that you had learned that he liked Russia and talked in favor of Russia. Now, was this learned while you and he were attending school?

Mrs. PALMIERO. Yes.

Mr. CARR. What school was that?

Mrs. PALMIERO. It was in Long Island City.

Mr. CARR. Evening school?

Mrs. PALMIERO. Evening school, yes.

Mr. CARR. Is it true that during this course at the school, which was primarily in English, English language—

Mrs. PALMIERO. Yes.

Mr. CARR [continuing]. That he would make speeches favoring Russia and communism?

Mrs. PALMIERO. Yes. There were discussions about things were happening, and he always was on the side of Russia, you know.

Mr. CARR. Did the fellow students at the school side with him, or what was their attitude?

Mrs. PALMIERO. No, they were against him, they were against him.

Mr. CARR. Is it true that some of them told him that he should go back to Russia?

Mrs. PALMIERO. Yes.

Mr. CARR. After you married him, did he do as he promised, that is, discontinue his Communistic activities?

Mrs. PALMIERO. Well, before he married me, I think that sometime he used to deliver literature in the project for the Labor party.

Mr. CARR. For the American Labor party, was that?

Mrs. PALMIERO. Yes, was for the American Labor party. I don't like it, so he promised me he won't do it any more. And I remember that I was to his house once and somebody came to bring some literature to bring it to the project and he refused to take it around because he had promised me that he wouldn't do it anymore.

Mr. CARR. But—

Mrs. PALMIERO. After I was married, I know that somebody else came and he was reluctant to do it, but then he delivered some literature in the project.

Mr. CARR. Now, did he continue to make speeches for the American Labor party at rallies and at Union Square?

Mrs. PALMIERO. No, no, he didn't make any public speeches, no. He didn't go anyplace. When he was with me married, he already had a job.

Mr. CARR. He had a job?

Mrs. PALMIERO. He wasn't making any speeches. No place.

Mr. CARR. At that time?

Mrs. PALMIERO. That's right.

Mr. CARR. In his home, did he have any literature which you would consider Communist? Did he have any books written by Stalin, Lenin, or, I think you said, Molotov, concerning Molotov?

Mrs. PALMIERO. Well, there were books, but I don't know, I don't think they were written by Stalin. They were talking about Stalin.

Mr. CARR. They were talking about Stalin?

Mrs. PALMIERO. But I don't think they were written by him. They just were talking about their lives.

Mr. CARR. They were books about Stalin?

Mrs. PALMIERO. About him, that's right.

Mr. CARR. Now, is it true that Palmiero was a great admirer of Stalin?

Mrs. PALMIERO. Yes.

Mr. CARR. Now, there is no question but what he know who Stalin was?

Mrs. PALMIERO. Oh, he knows it very well.

Mr. CARR. Very well. He know that Stalin was the premier of Soviet Union?

Mrs. PALMIERO. That's right.

Mr. CARR. Is it true that in discussing Stalin he would at times become emotionally upset?

Mrs. PALMIERO. He did once have tears in his eyes because he used to idolize him. It was something great for him.

Mr. CARR. Did you ever know him to read the *Daily Worker*?

Mrs. PALMIERO. Yes.

Mr. CARR. Did he receive the *Daily Worker* at his apartment or did he bring it in himself?

Mrs. PALMIERO. No, he was bringing it in himself.

Mr. CARR. He was bringing it in himself?

Mrs. PALMIERO. Yes.

Mr. CARR. Would he actually read the thing? Would he read the paper?

Mrs. PALMIERO. Oh, yes.

Mr. CARR. Now, although you say that he was a Communist, did he ever tell you that he was a member of the Communist party of the United States?

Mrs. PALMIERO. No. I say that he was an admirer of Russia. He said once that he was a Socialist, he liked Russia, and he liked the Communist government. I say I didn't know much about politics, but about being a member, he told me once that he was asked to be a member and he refused, for the purpose that if he did accept,

he would not be eligible for a government job, and he cared to have a government job, so he refused.

Mr. CARR. Then you think the only reason he did not actually join the Communist party when he was asked to join was because he feared that it might interfere with his keeping a government job?

Mrs. PALMIERO. Yes. At the time he didn't have the government job, but he intended to apply for it.

Mr. CARR. Now, do you believe that he was connected with any Communist front organizations or organizations connected with the Communist party during the period that you were married? He took a trip to Washington one time, did he not?

Mrs. PALMIERO. When he took a trip to Washington, I was not married yet, and I didn't know why he went to Washington. I know he went there, but I don't know why he went there.

Mr. CARR. You later learned, though, that at the same time that he was in Washington, there was a meeting or a pilgrimage of the New York Tenants Welfare Council group; is that right?

Mrs. PALMIERO. When was that?

Mr. CARR. In 1947, I think that was.

Mrs. PALMIERO. Well, I don't know, in 1947—I knew him at the end of the year. I don't know that.

Mr. CARR. Well, you received a postcard from him in Washington?

Mrs. PALMIERO. That was 1948.

Mr. CARR. Oh, that was 1948?

Mrs. PALMIERO. Yes.

Mr. CARR. Do you have any information that he went to Washington with this group?

Mrs. PALMIERO. I didn't know he went there with a group at that time. I didn't know nothing at all. I thought he was there for private purpose. I don't know anything at all.

Mr. CARR. Did you later learn anything about that?

Mrs. PALMIERO. I don't remember, but the young man that was here remind me they went there for political purpose, but I don't remember if I ever learned anything about that. I don't remember.

Mr. CARR. All right. Now, is it true that he has made statements that some day we would be a Communist government in this country?

Mrs. PALMIERO. Yes.

Mr. CARR. And is it true that he has also said that life is better in Russia than in the United States?

Mrs. PALMIERO. Well, I think so. It is a long time now, and I cannot just remember, but I think so.

Mr. CARR. Do you know a man named Paul Cavanna?

Mrs. PALMIERO. Yes.

Mr. CARR. Is he a friend of Palmiero's?

Mrs. PALMIERO. That's right.

Mr. CARR. How closely are they associated, or were they, to your knowledge?

Mrs. PALMIERO. Well, once he came to my house, once or twice. They used to meet outside. I don't know—I know he didn't believe in God, because I heard him saying that he never prays, he doesn't believe in praying. But I don't know nothing about him.

Mr. CARR. Do you know a man named Augustin Arrigo?

Mrs. PALMIERO. Yes. He was over there, and he is going to tell my husband now that he saw me here.

Mr. CARR. Is he a friend of your husband's?

Mrs. PALMIERO. Yes.

Mr. CARR. Do you know whether or not he is a Communist?

Mrs. PALMIERO. No, I don't know.

Mr. CARR. You have no knowledge of it?

Mrs. PALMIERO. No.

Mr. CARR. But he is associated with your husband?

Mrs. PALMIERO. He is a friend with him, but I don't know what—

Mr. CARR. How close is he?

Mrs. PALMIERO [continuing]. What his political ideas are.

Mr. CARR. All right. Mrs. Palmiero, you mentioned that Mr. Arrigo would undoubtedly tell your husband that you were here. Do you have fear of physical harm from your husband?

Mrs. PALMIERO. That's right—not only for me, but for my family, too.

Mr. CARR. Has he ever threatened you?

Mrs. PALMIERO. Yes.

Mr. CARR. That was prior to this occasion?

Mrs. PALMIERO. Yes.

Mr. CARR. Prior to this time?

Mrs. PALMIERO. Yes.

Mr. CARR. He has threatened you with physical harm?

Mrs. PALMIERO. That's right.

Mr. CARR. Do you have fear that if he should learn of your presence here, that he might cause you physical harm?

Mrs. PALMIERO. If he should lose his job, I have reason to believe that.

Mr. CARR. You have reason to believe that he might cause you physical harm?

The CHAIRMAN. Did he threaten to kill you, or—

Mrs. PALMIERO. Yes.

The CHAIRMAN. Or to beat you up?

Mrs. PALMIERO. To kill me.

The CHAIRMAN. He threatened to kill you?

Mrs. PALMIERO. Yes.

The CHAIRMAN. In other words, he had threatened to kill you before, has he?

Mrs. PALMIERO. Yes, you see, the time when I took him in court for the separation, and I cause him to spend money; naturally, he didn't like it, and he had trouble. He said if I should ever get sick, he would kill me, and the brother that I have. So just if he would get sick, imagine, but if he knew that I am giving information against him, that would make things bad for me.

The CHAIRMAN. Well, now, if anything occurs, if he threatens you again, anything of the kind—

Mrs. PALMIERO. See, he cannot come near me now, because I took him in court and the judge warned him he should not come to bother me anymore. Two times I took him in court. He was not arrested, but he was warned not to annoy me anymore, next time he might be put in jail. But if he should come again, he would not

come to warn me, he would come with a gun. That's what I expect, if he should come.

The CHAIRMAN. I see. Well, I think that there isn't a great deal the committee can do in that respect, but all we can advise you to do, if there are any more threats or anything, why, let this committee know and he will be in contempt of the committee for threatening to physically hurt a witness who appeared to give testimony before it.

We will not give the newspapers your name. If any of his friends ask you about it, you tell them you were subpoenaed here and you had to come.

Mrs. PALMIERO. See, this one asked me, he asked me if I have been here before, and he recognized me.

Mr. CARR. Well, the senator means, concerning your appearance here, if you are asked about it, say that you were called here, and you don't have to tell them that you said anything at all.

Mrs. PALMIERO. Yes, I know that.

The CHAIRMAN. Roy says he can get policemen to guard your house there, if you would like to have that done.

Mrs. PALMIERO. If I would what?

Mr. CARR. If you would like to have a policeman guard your home.

Mrs. PALMIERO. To watch around there? If you want to. I hope there should be no need for that.

The CHAIRMAN. You don't think that is necessary at all?

Mrs. PALMIERO. I don't know. I cannot tell you. If he keeps on working there, if he keeps the job, there won't be any trouble for me.

Mr. CARR. We could have the policeman on the regular cruise pay special attention to her residence.

The CHAIRMAN. Yes. All right, that's all.

[witness excused.]

#### TESTIMONY OF COLONEL WALLACE W. LINDSAY

The CHAIRMAN. In the matter now in hearing, do you solemnly swear that the testimony you will give to the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Col. LINDSAY. Yes, I do.

The CHAIRMAN. The thing we are principally interested in so far as you are concerned is to get some idea of the type of material that this guard, who was in yesterday, Palmiero, what type of material he is guarding.

He testified that he was a guard at the Signal Corps Photographic Center. Can you give us any idea of what type of material he is guarding?

Col. LINDSAY. Yes. He is guarding motor vehicles in the back yard.

The CHAIRMAN. How about the films?

Col. LINDSAY. He has no access to classified material. I assume that in the—

The CHAIRMAN. How about the films that he had access to? He testified under oath that he used to be on tour duty; his task was to go through the film plant, check on the films and make sure the vaults were closed. What type of films were those?

Col. LINDSAY. To the best of my knowledge, he has never been on that type of duty.

The CHAIRMAN. What type of films are they? Are they classified?

Col. LINDSAY. We have classified films in the place, yes.

The CHAIRMAN. Are they training films?

Col. LINDSAY. Yes.

The CHAIRMAN. Would you describe the type of films, Colonel? See, we don't have any knowledge of them at all. I don't want you to—we are not asking you for any classified information. I just want to get a general picture of the type of films.

Col. LINDSAY. Well, they would be training films on the classified material, equipment, something on that line.

The CHAIRMAN. Would the material be classified, as secret, top secret, confidential?

Col. LINDSAY. Yes.

The CHAIRMAN. It would?

Col. LINDSAY. Yes.

The CHAIRMAN. In other words, it might be any one of the three classifications?

Col. LINDSAY. Yes.

Mr. COHN. Depending on the type of equipment, and so forth?

The CHAIRMAN. Then if an agent of an enemy, or potential enemy, had access to those films, it would be rather a dangerous situation, wouldn't it?

Col. LINDSAY. Yes, I would think so.

The CHAIRMAN. Well, this man, Palmiero, as I understand, testified under oath that he did have access to the films. He said that he acted as a tour guard, that as a tour guard his job was to go through the plant, check on the security of the films, that on occasion he found the vault open and saw the films in there. One of his other jobs is to guard the gate; as of yesterday, that is his testimony. His job was to guard the gate, make sure that no one would walk away with any films, any classified material.

Is it your thought that he was not telling the truth in that he was merely guarding trucks?

Col. LINDSAY. His job is classified as non-sensitive. I assume you know what we mean by non-sensitive. In other words, he is not classified, or is not cleared for access to classified material, and pending such clearance he is placed on jobs like guarding the gates. Part of his job is to see that nobody carries films out of the plant, yes, but that does not give him the authority to examine the film, or anything of the sort.

The CHAIRMAN. But isn't one of his jobs to see that no one takes away any secret material?

Col. LINDSAY. One of his jobs may be to see that no one takes away material, period.

The CHAIRMAN. Well, secret material; is that one of his jobs?

Col. LINDSAY. Not as such, no, sir.

The CHAIRMAN. Well, is that his job at the gate? If somebody tries to take away secret films, is it his job to stop them?

Col. LINDSAY. His job is to stop anyone taking a package or any material from the plant unless they have a pass authorizing them to remove it from the plant.

The CHAIRMAN. That would include all types of material including the secret and top secret films?

Col. LINDSAY. Yes, except that the gate he is guarding is not used for that purpose. It is a gate going to the parking lot in the back yard.

The CHAIRMAN. Yes. You say it is not used for that purpose. Now, if I were a Communist agent and I wanted to steal some of your secret material, I wouldn't notify you what gate I was going to use, would I?

Col. LINDSAY. No, but you would probably not have too much trouble getting it out, if it was a small piece of film. You could conceal it on your person. We don't search everyone going through the gate every time. It is hardly practical.

The CHAIRMAN. If I were trying to get away secret material, I would naturally go to the gate guarded by a Communist; if I were a Communist agent I would go to the gate guarded by a Communist, wouldn't I?

Col. LINDSAY. I would think so, yes.

The CHAIRMAN. You said he hasn't been cleared for secret work. He testified under oath that he did have access to the films, that he was a tour guard for a while. Is it your position that he was lying when he told us that?

Col. LINDSAY. I am not in a position to say that the man was lying. I can tell you that the man came to us by transfer from another federal job of the same type on 3 January 1950.

The CHAIRMAN. What was the other federal job he came from?

Col. LINDSAY. He worked at Fort Hamilton, for the post engineer—that is according to these records. I have no personal knowledge of this.

The CHAIRMAN. Do you know the kind of work he was doing there?

Col. LINDSAY. No, I do not, without consulting the records. My understanding was, or I was told, they were having a reduction in force, or some sort of thing, that sort of thing, over at Fort Hamilton—

The CHAIRMAN. Just a second. Pardon me.

Col. LINDSAY. He came to us on 3 January 1950, by transfer. He was employed by us as a guard. The normal procedure is to ask for a background investigation of the person who may be placed in a position where he might have access to classified material. I would not go so far as to say that for the first day or two he might not have been placed on tour. I don't know; I have no personal knowledge of it, of course, as I have a large number of employees and I don't personally check each one. But the—

The CHAIRMAN. Whose job is it to check this man Palmiero? Who would have passed upon his case?

Col. LINDSAY. Passed upon it in what way, though?

The CHAIRMAN. From the standpoint of security.

Col. LINDSAY. It is the responsibility of the commanding officer.

The CHAIRMAN. And you are the commanding officer?

Col. LINDSAY. I am.

The CHAIRMAN. How long have you been the commanding officer?

Col. LINDSAY. Since 1949, sir.

The CHAIRMAN. I have been in the military a while myself and I know how service duties are handled by the commanding officer; I know you have individuals to whom you delegate duties.

Col. LINDSAY. That's right.

The CHAIRMAN. Who do you delegate to check on the security and loyalty of the guards?

Col. LINDSAY. I have a security officer.

The CHAIRMAN. What is his name?

Col. LINDSAY. The one who is there now is new. The one who was there during the time in question has just been transferred to overseas about a month ago.

The CHAIRMAN. What is the name of the fellow who is there now?

Col. LINDSAY. Major Burnham.

The CHAIRMAN. Burnham?

Col. LINDSAY. Yes.

The CHAIRMAN. And the man who was there when Palmiero came in, what is his name?

Col. LINDSAY. Major Yates.

Senator MCCARTHY. Where is he now?

Col. LINDSAY. I am not sure. I think he was transferred to the Far East, sir.

The CHAIRMAN. Since you have heard of this case of Palmiero, did you take the trouble to check his file?

Col. LINDSAY. Yes, sir.

The CHAIRMAN. Are you satisfied that he should be doing the job of guarding the gate now?

Col. LINDSAY. Yes. I don't think that the job is at all sensitive.

The CHAIRMAN. Well, would you say it is not sensitive to guard a gate through which secret stuff might be stolen? You produce top secret material; the definition of top secret—I can't quote it verbatim—as I recall, it is material which could in fact cause us to lose a war. Secret material—Well, I am sure you know the classifications as well as I do.

You say that it isn't sensitive to have a guard at the gate when one of his jobs is to see that the material is not stolen?

Col. LINDSAY. This gate is the gate to a back yard where we store vehicles. It is a motor pool. His job is actually closer to being a fire watcher and generally physical security guard rather than—

The CHAIRMAN. But it is one of the gates going out of the plant, isn't it?

Col. LINDSAY. Yes, sir, but the employees don't use it. It is used—it is a vehicle gate, a big gate. It is open to vehicles moving in and out.

The CHAIRMAN. The witness testified, yesterday, that they used it. You say they don't use it. If I were an espionage agent and I knew there was a Communist at that gate and I wanted to take out some secret material, wouldn't it be the logical thing for me to go out that gate?

Col. LINDSAY. I would think so, yes, sir.

The CHAIRMAN. Doesn't that make it a sensitive job?

Col. LINDSAY. I don't think it does, because there are so much easier ways to get small objects out of the building. When you are speaking of film here, it could be cut up into single frames, which can be concealed under the stamp on a letter. If I were a Com-

munist agent I certainly wouldn't try to take it out past the guard at the gate, no matter whether it could be detected, and as I said before, we don't search our employees going in and out of the building. We examine packages, but this is as much to prevent pilferage as it is to prevent stealing classified material.

Everybody handling classified material is charged with its safe keeping and its checking every night before closing, and to see that it is properly locked up and safeguarded.

We have security spheres in every division, in every place where any classified material is handled. We don't depend on the gate guards to prevent the pilferage of classified materials, sir.

The CHAIRMAN. Well, do you depend upon the tour guard?

Col. LINDSAY. Not to prevent pilferage. His only duty is to see that safes are locked, that the vault doors are closed, and that sort of thing.

The CHAIRMAN. Isn't the purpose of locking the safes to keep the stuff from disappearing?

Col. LINDSAY. Obviously, yes, sir.

The CHAIRMAN. So that you do depend upon the tour guard?

Col. LINDSAY. Yes, sir.

The CHAIRMAN. The tour guard would have access to that material, wouldn't he?

Col. LINDSAY. He would, if he found a safe open where it was stored.

The CHAIRMAN. Would you consider that a sensitive post?

Col. LINDSAY. Yes, sir.

The CHAIRMAN. Would you consider this man Palmiero qualified to hold such a job?

Col. LINDSAY. I would think not, no, sir.

The CHAIRMAN. Can you tell us why he does hold that job, then?

Col. LINDSAY. I don't know that he does.

The CHAIRMAN. Can you get on the phone and find out for us? We assumed that you would know that when you came in here. It is very important to us. We are checking on a man who testified before the committee yesterday that he signed a pledge—will you hand that pledge to the Colonel?—a pledge in which he pledges his support of a Communist candidate for governor; he selects the Communist party.

I believe this is not the governorship pledge, is it?

Mr. COHN. Yes, it is.

The CHAIRMAN. He pledges support of a Communist candidate for governor; selects the Communist party as his party; says under cross-examination he can't tell us whether he thinks communism is good or bad; he doesn't know.

As to Joe Stalin, he said he couldn't tell us whether he thought he was a great man or not.

Do you still think he is qualified to hold a job in your department, any job?

Col. LINDSAY. No, sir, I do not.

The CHAIRMAN. Have you seen a copy of this petition in the file, Colonel?

Col. LINDSAY. No, sir. I should like to point out that what my personal feelings in the matter are is a little bit beside the point, because these people are all civil service people and they are pro-

tected by civil service procedures of which I am sure you are well aware as we all are.

I can only repeat again, I can't divulge classified information, which I actually don't have at the moment anyway, until the man is found unsuitable by the procedures which have been set up in the executive branch. I cannot discharge him; I can't discharge anybody. All I can do is make recommendations. The man is protected by civil service procedures, up to a certain point.

The CHAIRMAN. Colonel, do you mean that if you find a Communist working out there, that you must keep him on until the machinery of government has ordered him discharged? Can't you suspend him?

Col. LINDSAY. Not until I know he is a Communist. The fact that—

The CHAIRMAN. If you think he is one, can you suspend him?

Col. LINDSAY. I can suspend him, yes, sir.

The CHAIRMAN. Well, how about a man who signs a pledge, pledging himself to support a Communist candidate, who selects the Communist party as his party, who refuses to tell whether he thinks communism is good or bad? Do you think that that gives you sufficient information so we should suspend him?

Col. LINDSAY. Yes, sir, I do.

The CHAIRMAN. Well, do you plan on suspending this man?

Col. LINDSAY. I do, as soon as I have this information officially, yes.

The CHAIRMAN. Well, we can give it to you now as officially as we can give it to you. I can give you a copy of the affidavit—I will read it to you so you have an idea of exactly what he signed.

On top you will find, in large letters "Communist Party"—and this is cut down in size, you understand, so the actual petition would have been of larger size; is that correct?

Mr. COHN. Yes, sir.

The CHAIRMAN. Now, I will read this:

I, the undersigned, do hereby state that I am a duly qualified voter of the political unit for which the nomination for public office is hereby made; that my place of residence is duly stated opposite my signature hereto, that I intend to support at the ensuing election—

I call your attention to that—

intend to support at the ensuing election and I do hereby nominate the following named persons as candidates for nomination for public office to be voted for at the election to be held on the 5th day of November, 1946, and I select the name "Communist Party" as the name of the body making the nominations.

Then the people he had pledged himself to support: Robert Thompson, governor of New York State. It is the same Robert Thompson that has been convicted as one of the eleven second-string Communists.

Mr. COHN. First-string.

The CHAIRMAN. First-string, I beg your pardon. He was picked up in the Sierras last week, a fugitive; Israel Amter, lieutenant governor of—also a well-known Communist; Ben Davis—he was convicted also, wasn't he?

Mr. COHN. Yes, one of the first-stringers, sir. Amter was a second-stringer.

The CHAIRMAN. Benjamin Davis, for United States senator. He was one of the first-string Communists convicted, well known then to everyone as a Communist.

Col. LINDSAY. What year was this, sir?

The CHAIRMAN. This was 1946—and others down the line. And we showed this to Palmiero, and asked him about it, and he admitted it was his signature, admitted signing it. At that time he was subscribing to the *Daily Worker*, getting it regularly.

His wife is here this morning. What will her testimony be?

Mr. COHN. He was a Communist.

The CHAIRMAN. Her testimony will be that he was a Communist. We don't ordinarily invite anyone from the outside to attend an executive session of the committee. You may stay here and listen to her testimony, if you care to.

Col. LINDSAY. I would like to.

The CHAIRMAN. His testimony, just to give it to you briefly—

Col. LINDSAY. Does he admit being a Communist, sir?

The CHAIRMAN. No, he doesn't admit being a Communist. He says he doesn't know whether communism is good or bad, he can't decide.

Her testimony will be that he never formally joined the party, that he was a Communist, advocated communism, and told her the reason he didn't join, and become an enrolled member of the party, was because he was afraid it would affect his government job. His wife quit him because he was a Communist.

I might say that his references also were Communists. The references were—

Mr. COHN. Paul Cavanna, and I don't remember the other fellow's name.

The CHAIRMAN. Cavanna also signed a pledge to support the Communist party, according to the information from the election commissioner. Cavanna said he couldn't remember whether he had signed one or not.

The other man belonged to two of the most active Communist fronts both named by the attorney general. Those were his references.

Mr. COHN. One man signed a Communist party petition. The other man was an officer of the American-Slav Congress, which is listed by the attorney general as a subversive organization.

The CHAIRMAN. May I say, Colonel, while we are not trying to tell you what to do, we had hearings down in Washington last week, and the minute it was developed that people either refused to answer that they were Communists, or where the evidence became clear that they were in Communist activities, they were immediately suspended from the Government Printing Office.

I think that it creates a healthy picture, insofar as the army is concerned, if they move rapidly when they find a Communist, especially if he is a security guard. I hope that after you hear this testimony of the wife, now that you have this testimony of the husband which we have given you, I hope that we can tell the press that you are suspending this man. That, however, is up to you. I am not in a position to tell you what to do.

Colonel, if you don't mind, you can sit here and wait for the other two army men first.

[Witness excused.]

**TESTIMONY OF COLONEL WENDELL G. JOHNSON AND MAJOR  
HAROLD N. KRAU**

The CHAIRMAN. Gentlemen, will you please stand and raise your right hands?

In the matter now on hearing before the committee, do you solemnly swear the testimony you shall give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Col. JOHNSON. I do.

Maj. KRAU. I do.

Mr. COHN. Now, Colonel, have you identified yourself for the record?

Col. JOHNSON. Yes, sir.

Mr. COHN. You are G-2 First Army out at Governor's Island?

Col. JOHNSON. I am the assistant chief of staff, G-2, headquarters First Army.

Mr. COHN. Who is the chief of staff?

Col. JOHNSON. The chief of staff is Major General Murphy.

Mr. COHN. Now, let me ask you this, Colonel: Are you familiar with the case of Doris Walters Powell and Albert Feldman?

Col. JOHNSON. I am not familiar with the cases, no, sir.

Mr. COHN. Have you learned anything about them since we asked you to come down here?

Col. JOHNSON. I do not have the files of those cases, so that I do not have the information that it contained in the cases.

Mr. COHN. Well, can you tell us who is responsible for having cleared these people for government employment?

Col. JOHNSON. No, sir, I cannot, because the information as to the clearance is contained in the case. The clearance for government employment, I might say comes from the Civil Service initially. They, you might say, approve a person for employment and then that information is furnished to the commanding officer concerned, who, based on the recommendations received from the Civil Service, employs the individual, based on Civil Service regulations, of course.

Mr. COHN. If the Civil Service recommendation is made, is that made prior to the FBI investigation or after it? Isn't that just a preliminary?

Col. JOHNSON. That is a preliminary investigation, yes.

Mr. COHN. After that happens, then you have the field investigation by the FBI; is that right?

Col. JOHNSON. There may or may not be a field investigation.

Mr. COHN. Well, you have some kind of investigation by the FBI?

Col. JOHNSON. Not necessarily.

Mr. COHN. Not necessarily?

Maj. KRAU. Sir, the way that works is that the Civil Service Commission conducts the pre-employment check, which is consisting of the national agency check down in—federal agency check. After that has been accomplished, the individual is eligible for employment. Now, if that individual is to receive access to top secret material, then full field investigation is completed.

Mr. COHN. That is only in the case of access to top secret material?

Maj. KRAU. Yes.

Mr. COHN. How about secret, confidential and restricted?

Maj. KRAU. In that case, sir, the army regulations require a national agency check to be conducted on those people for secret information. Now, the pre-appointment loyalty check is just about the equivalent of a national agency conducted on Department of the Army civilians; it is about the same equivalent. In other words, the pre-appointment loyalty check is, as I said, a check of these agencies in Washington for clearance granted under special regulation 3816-1. The national agency check is conducted on these people.

Mr. COHN. The Civil Service Commission?

Maj. KRAU. No, sir, by—

Col. JOHNSON. The pre-appointment is by the Civil Service Commission.

Mr. COHN. The pre-appointment check is by the Civil Service Commission?

Col. JOHNSON. Going to the different agencies, of course.

Mr. COHN. Do they check with the various agencies—FBI, CIA, G-2, and so forth?

Col. JOHNSON. That's right.

Maj. KRAU. That's right.

Mr. COHN. Then after they have made that check, they send some kind of report through to you people?

Maj. KRAU. Yes, sir, that is right.

Col. JOHNSON. Right—through us to the installation concerned, who is going to do the hiring.

Mr. COHN. Then what happens? Suppose there is derogatory information in those reports?

Col. JOHNSON. You are speaking now of the pre-employment?

Mr. COHN. Yes, the pre-employment.

Maj. KRAU. Well, that would be a matter for civilian personnel.

Col. JOHNSON. It would be the decision there of the commander concerned. It would depend upon the nature of the derogatory information.

The CHAIRMAN. In other words, it is up to the commanding officer to decide whether the information is of such a nature that you don't want to employ? He can decide?

Col. JOHNSON. That is right, sir. The commander concerned is the one who can make the final decision there.

The CHAIRMAN. Does G-2 make a recommendation?

Let us take, for example—here is Colonel Lindsay, who is head of the pictorial center. Now, let us assume that I am applying for a job and the Civil Service Commission finds I am qualified to do the type of work for which Colonel Lindsay needs a man. Does your department have anything to do with my case before I am assigned to Colonel Lindsay's pictorial section?

Col. JOHNSON. Yes. The processing—that information is processed through headquarters First Army—in other words, it goes through the channel of command to the installation commander concerned, so that if there was a disagreement with the recommendation of the Civil Service Commission on the individual, that could be inserted in there, recommending, in the best interests of the service, that the individual should or should not be hired, as the case may be.

The CHAIRMAN. Colonel, how about this Powell case? Have you had a chance to check into the facts in that?

Col. JOHNSON. Which case, sir?

Mr. COHN. Powell, Doris Walters Powell.

Col. JOHNSON. As I say, I don't know the circumstances of the case, Senator. The file is not in my hands. And furthermore, I am constrained by the regulations, sir, to not reveal anything that is in that case, if I do know what they are.

The CHAIRMAN. Do you feel you are restrained from giving us the name of the army officer who gave her clearance—officer or officers?

Col. JOHNSON. No, sir, I feel that that would be a part of the file. I can tell you what the procedure is—

The CHAIRMAN. I only want to know the name of the individuals that cleared her. You see, the case is such a flagrant one that whoever cleared her either was incompetent beyond words, abysmally incompetent, or he was of the same stripe that she is.

Therefore, we will order you to produce the names of the individuals who cleared her. That is information which Congress must have.

Just for your information, so you know, the case we are dealing with, Mrs. Powell was a secretary to one of the members of the National Committee of the Communist party. She attended a Communist Leadership School. She admitted having received a membership card in the Communist party. She attended Communist meetings while she was working on a newspaper. She admitted to her boss that she was stealing material from the files and turning it over to the Communist party, a representative of the party. She refuses to answer on the grounds of self-incrimination as to whether or not she was a member of the party as late as 1948 or 1949.

This is a case of about the most clear-cut membership in the Communist party you can find. She was hired; someone in your department cleared her. She is on leave now, on maternity leave. We have just been notified that the army is going to do nothing about her case until her leave is up. You are therefore ordered to produce the names of the people.

I am getting awfully sick of the stalling around I have had in the last few days. All of you men know about this case; you read about it in the paper. You know why we called you over here. Yet you got here, and I find you know nothing about the case, apparently, the case of a Communist working on and handling secret material, and that order will be that you produce that material; and I don't care what anyone else tells you to do, those are the orders of the committee.

I might tell you, for your own benefit, we have another case here, a man working under Colonel Lindsay, a man who signed this Communist petition, a petition in which he pledged to support Robert Thompson, one of the first-string Communists who was convicted, who was picked up in the Sierras last week by the FBI. He selects the Communist party as his party. He comes before the committee and says, "I can't tell you whether I think the Communist party is good or bad." He is now guarding secret and top secret films. His job, according to his sworn testimony, is to stand at the gate and, among other things, make sure that no one re-

moves those films. Part of his job has been as a tour guard to go through Mr. Lindsay's plant and check the safes and the vaults. His testimony has been that he has found them open, has a free access to all of those secret films.

Now, if the army wants to take the position that the Congress is not entitled to know who has cleared these people, who have said they are Communists, over in your department, you can go right ahead and take that position. Now, it may take us a while to get the information, but I assure you we will get it.

Col. JOHNSON. May I respectfully request to make a statement, sir?

The CHAIRMAN. Certainly. I may say, any witness who is here can make any statement he cares to.

Col. JOHNSON. I would like first, if I may, sir, to indicate the procedure in a case where there is any information reflecting on a Civil Service employee that comes to the attention of the installation commander, the procedure in handling that, and I believe that will indicate, sir, to you and members of the committee, the reason why I have made the statement that I have, sir.

When the installation commander receives information reflecting on a Civil Service employee, as to his loyalty or security—that is, whether he is a security risk or not—that commanding officer must refuse that information and prepare a letter, to process that case as prescribed in the regulations. That is what we call Special Regulations 620-220-1. He submits his recommendations together with the file of any information which he has on that individual, the information that has come to him—he submits that, the recommendations and conclusions, with the file through channels to the commanding general of the major command—in this case in the First Army area, if it is an individual in the First Army area which embraces the New England states, New York and New Jersey. Upon receipt of that at headquarters First Army, the recommendations of the installation commander, together with the file, are carefully reviewed in that headquarters, and the commanding general then forwards that to the Department of Army, indicating his concurrence or non-concurrence with the recommendations of the installation commander.

In practice, naturally, the commanding general cannot personally see each one of these cases, so it is the function of his G-2 to review those cases and to prepare the recommendations. If there is any question on them, of course, the case is taken up with the chief of staff or with the commanding general himself, to insure that the concurrence or non-concurrence is completely in accord with the views of the general himself.

Those are then forwarded to Department of Army for final adjudication. In Department of Army, there is a security screening board in the office of the secretary of army, which makes the decision in the matter. If that security screening board finds that the circumstances indicate the individual should be separated, or that a finding of that sort is probably indicated, the board may take any one of three actions: It may ask that an interrogatory be accomplished by the individual concerned; it may request further information through investigative agencies, or it may just flatly outright indicate that the individual should be separated and send a state-

ment of charges down through channels, again through the army command to the installation commander.

He advises the individual concerned of these charges, and he has, then, thirty days in which to appeal his case—I believe it is thirty days, isn't that right?

Maj. KRAU. That is right.

Col. JOHNSON. Thirty days. If he does desire to appeal his case, then he has a hearing before an army area security hearing board, and their decision goes to the secretary of the army, whose decision in the matter is final.

He can, of course, take other action if he desires, but normally that decision of the appeals board there would be final. Those are the individuals who may have acted on these cases. It would be a concurrent, or non-concurrent, as the case might be, with the recommendations of the installation commander, but that would be only one stop in the final chain, and it would go on up to the secretary of the army department office for final adjudication.

The CHAIRMAN. Well, we want the entire chain. This is the most unusual picture I have seen, you have got a top Communist, known to be a Communist—all the information says that she is a Communist—and nothing done, nothing done as of today, even though we have transmitted that information to the commanding officer of the Quartermaster Corps. It is completely contrary to what some of the other departments of the government do.

For instance, in the Government Printing Office, within half an hour after we expose a Communist, he was suspended.

Let me ask you this, sir: Do you think a man who has signed a pledge to support a Communist candidate for governor and a well-known Communist, Robert Thompson; a candidate for lieutenant governor, Israel Amter, who has since been convicted as one of the second-string Communists; who has pledged his support in writing to Ben Davis for United States senator, one of the first-string Communists, who has since been convicted; who says, he doesn't know whether communism is good or bad—do you think he should be a civilian employee of the army in any capacity?

Col. JOHNSON. I could only answer that, sir, in the same expression that is given in the executive order of the president, 10-450. It would appear that such an individual, his employment in government service, is not clearly in the interest of national security.

The CHAIRMAN. Not clearly in the interest?

Col. JOHNSON. Yes, sir, that is the wording, I believe, of the executive order, and I certainly think that is indicated in such a case.

The CHAIRMAN. Well, you are G-2, Colonel?

Col. JOHNSON. Yes, sir.

The CHAIRMAN. You do your own thinking, and you appear to know what your line of thinking is. Do you think there is any reason to keep a man like that on?

Col. JOHNSON. To keep a man like that on?

The CHAIRMAN. Yes, on the army payroll.

Col. JOHNSON. I can give you my personal opinion.

The CHAIRMAN. I think your personal opinion is important.

Col. JOHNSON. I certainly do not, sir. That is my personal opinion, of course.

The CHAIRMAN. You don't have any authority to suspend anyone, you merely recommend that to the commanding officer; is that right?

Col. JOHNSON. Yes, sir. That, of course, is another factor that comes into these cases very much. The Civil Service laws protect any individual to such a degree that this chain of action is required before it is possible to separate an individual. Now, he can be suspended—

The CHAIRMAN. He can be suspended instantly, can't he?

Col. JOHNSON. Provided the security of the installation or the security of classified information at that installation make it seem very appropriate and very necessary to the installation commander. But the installation commander, of course, in so doing is taking a rather grave risk, unless he has an awful lot of evidence that there is risk to the installation or risk to the classified information available to him.

The CHAIRMAN. If a man pledges himself to support the Communist party, yes—the Communist party, we all know, is a conspiracy dedicated to the overthrow of this government—do you need more than that? Do you need more than being a Communist?

Col. JOHNSON. Well, sir—

The CHAIRMAN. Do you need more than being a Communist to suspend a man?

Col. JOHNSON. An investigation, of course, has to be completed.

The CHAIRMAN. Before the investigation is completed. Let us say that you know as of tonight at four o'clock a man is going to go guarding a gate, to guard against the stealing of top secret material, material which, according to the definition of top secret, could result in the loss of a war if it is disclosed to the enemy; if you knew that man is going to be at four o'clock this afternoon at that gate; if you know that he had pledged to support the Communist party; if you know he reads the *Daily Worker*, the official organ of the Communist party, which has been described as a telegraph agency of the Communist party; if when called before a committee he says, "I don't say whether I think communism is good or bad"—would you have that man at that gate, or would you suspend him?

Col. JOHNSON. It would depend a great deal, sir, on whether his position there at the gate was of importance or not.

The CHAIRMAN. Well, let us say one of his jobs is to see that secret films are not removed from the place. Would you consider that important enough?

Col. JOHNSON. If he actually had such a function, yes, sir.

The CHAIRMAN. Well, that is his sworn testimony in this case. Would you leave him on that job? In other words, he is at a gate—it is so important when you have got guards at a gate. It is a photographic center; there is secret and top secret confidential material produced there. One of his functions is to see that that material is not removed from the premises. Would you say that is a job that is important enough so that you would suspend him, or would you leave him on until you had taken a number of months to conduct a further investigation?

Col. JOHNSON. It is very difficult for me to answer a question like that, sir. The circumstances in each case, and the circumstances

surrounding the installation, of course, would be the determining factor in any such case.

The CHAIRMAN. You mean as of today you could not answer as to whether you would suspend that man or not, if he is pledged to support the Communist party and he is guarding a gate, and one of his functions is to prevent the removal of secret material? You say that that is too difficult a question, you couldn't answer that?

Col. JOHNSON. Well, I wouldn't say it is too difficult a question, no, sir. I would certainly, if it were my position to make such a decision, weighing all the evidence in the case, I would make the decision one way or the other.

The CHAIRMAN. But you couldn't tell me—

Col. JOHNSON. And if I knew all the facts as outlined here, sir.

The CHAIRMAN. Let us assume those facts are true; let us assume that I am not lying to you.

Col. JOHNSON. No, sir, I am not assuming that.

The CHAIRMAN. Let us assume those facts are true; do you find it difficult, as head of intelligence over there to tell us whether or not you would let that man on the job or take him off?

I am trying to think, Colonel, what kind of reasoning we have over in that department.

Col. JOHNSON. I can assure you, sir, that we take these cases with the utmost seriousness and give them the best thinking we can, but the only thing, Senator McCarthy, is that you sometimes have allegations in these reports, and the allegation may or may not be true, and we recognize that if they are found not to be true, then there, of course, may be an injustice done. That is why there is Civil Service—

The CHAIRMAN. I am not talking about allegations. I am talking about a man who appeared before this committee, who was shown that particular pledge and was asked, "Is this your signature? Did you sign it?"

He says, "Yes, that is my signature. I signed it;" a man who was asked, "Did you receive the *Daily Worker*?" "Yes, I did." "Question: Do you think communism is good or bad?" "Answer: I can't answer that, under oath; I can't tell you whether it is good or bad."

I am not talking about an allegation. Take those facts alone; would you give the American people the benefit of the doubt and remove him, or would you leave him on where he has access to top secret stuff?

Col. JOHNSON. I would certainly take steps to remove him, to keep him from having access to top secret material, sir.

The CHAIRMAN. If you gentlemen care to stay here, you may. We have the wife of this man coming in now. I haven't heard her testimony yet. I understand she will testify that he was a Communist. If you care to sit here, and listen to that, you may do it.

Mr. RAINVILLE. Senator, may I just say one thing before these gentlemen here?

The CHAIRMAN. Certainly, Mr. Rainville.

Mr. RAINVILLE. I find it utterly amazing that to get a person employed by the government in a non-sensitive job, totally disassociated with the military, you cannot possibly get him through under three or four months, if they even intimate that the man

doesn't have the guts for the job; and yet a situation such as this, and you don't even question it.

The mere fact that he's got any kind of stain, when it is a civilian occupation, he is removed from consideration immediately. I myself have removed two men and a woman from consideration for jobs in the federal government that had no connection with the security of the government. And yet these people, with testimony, sworn testimony, and the hackles of the back of your neck don't even rise a little bit?

Col. JOHNSON. Yes, they do.

Mr. RAINVILLE. Well, I haven't seen any evidence of that. Col. Lindsay just sat down here and took the attitude that this was something of a joke, and I don't regard it as a joke.

Col. JOHNSON. May I say, sir, that the Civil Service regulations and the previous security regulations under executive order were such that it was most difficult to obtain the removal of a security risk. Loyalty came into it—remember, the previous executive order was "loyalty and security." Now, the new executive order, No. 20450, is quite different, and the process of cases may have been modified by the new procedures that have been adopted by the secretary of defense.

Mr. RAINVILLE. This case goes back to 1946, when you were operating under a different order. Loyalty was a factor then.

Col. JOHNSON. What I am saying, sir, is that under the new regulations there is a better opportunity to remove security risks.

Mr. RAINVILLE. But you are still not doing it, sir. You are still hesitant to do so.

Col. JOHNSON. No, sir, I am not hesitant to do so.

Mr. RAINVILLE. Here is a committee that is functioning outside of the strict bounds of the rules which the army must operate under, and instead of cooperating with them and saying, "Yes, this man is guilty," Colonel Lindsay says, "The man is on a gate guarding trucks. He is not in a sensitive spot." But he is in a spot where he is supposed to stop anybody that comes out with the films. He says, "Well, they can hide any little bitty pieces."

We are not looking for excuses to protect a man and keep him in. We are looking to see if there is any possible way for him to do something, that he should be removed, and Colonel Lindsay takes the other attitude, "Well, they could get away with so much in so many easier ways."

That is not the question. Could this man, in any way, facilitate the removal of things, and if he could, should he be kept?

Col. JOHNSON. And there are two courses of action open to an installation commander under the circumstances of that sort. He could put him in a non-sensitive position and I understand the guard has been—or he can suspend him.

Mr. RAINVILLE. There is no non-sensitive position where a man is working for the army, where there is any kind of secret material.

If I understood the major correctly, you don't even ask for a security test unless it is top secret?

Col. JOHNSON. I beg your pardon, sir?

Mr. RAINVILLE. You don't even ask for a security test unless it is top secret.

Maj. KRAU. Oh, no.

Mr. RAINVILLE. Then I better be corrected in my impression of what you said, Major, because the question was "What happens?" Does he get an FBI test before the Civil Service approves him and then a field test afterwards.

And you said, "Only in the case of top secret." Was I utterly incorrect in hearing what you said?

The CHAIRMAN. I think you are correct, Harold, but I believe the major corrected that later and said if you are going to handle other classified material you asked that the national agency check him, or something like that. I had difficulty in following him myself.

First I understood you to say they only had clearance if they handled top secret material, but didn't you qualify that later, Major?

Maj. KRAU. Yes, I did.

Col. JOHNSON. The regulations require what we call a complete background investigation in case of top secret clearance, clearance for access to top secret information.

Mr. RAINVILLE. They do have an FBI report on these two people?

The CHAIRMAN. They have got all the material, Harold.

Mr. RAINVILLE. And somebody has to make a decision on that, and if that man threw him out it would never have gone to the secretary of the army.

Col. JOHNSON. Yes, sir, it has to, regardless of what happens, the installation commander cannot separate him himself. He can suspend him.

Mr. RAINVILLE. Wait. He hasn't been hired yet. You have had an FBI test; you have asked for a man and they send this man in, and here is the FBI report.

Col. JOHNSON. It might well be that this information was not made known or did not come to light until after the man was already an employee.

The CHAIRMAN. What difference would it make? Let us take this woman's case, and unless I am badly misinformed, you had all the information which we have had. I couldn't think of a stronger case of potential espionage—a woman who is a secretary for a member of the National Committee of the Communist party, a woman who attends a Communist leadership school, a woman who has her card in the Communist party, who attends Communist meetings, and admits it. You have all that information, and even as of today—I just got word from Dave, here, that the commanding officer of the QM says, "We are going to do nothing about the case until her maternity leave expires. Then we will decide what we are going to do."

That is so diametrically opposed to what Mr. Blattenberg of the GPO did when we exposed a Communist down there. I can't conceive it, Colonel. It is something the American people won't either.

We have ordered the colonel to produce certain material. The thought occurs that he may be caught between two fires, of either finding himself in contempt of the committee if he refuses to obey the order, or up for a court martial if he obeys it for having violated army regulations.

For that reason, Roy, if the production of that is in violation of an army regulation, the colonel is caught between the two fires of either threatened court martial or contempt by the committee. I think what we should do is have somebody call Charlie Wilson, the

under-secretary of the army, and tell him that we ran into a situation up here which is, to my way of thinking, fantastic beyond words. We can't find out who cleared Communists. Somebody did, we know. We know they knew they were Communists at the time they cleared them, and I want to know whether action is being taken against them. I want Wilson and the secretary of the army to come in—tell them I don't want to disrupt their activities there—number one, I would like them to do it at a time that is convenient to them; and number two, I think the senators would want to find out if they intend to protect the people in the military who have cleared Communists.

As I have said, anyone who clears a woman like Mrs. Powell is either abysmally incompetent, incompetent without words, or is in sympathy with the Communist party.

Mr. RAINVILLE. It can't be anything else.

The CHAIRMAN. You know, that just can't be kept secret. We are not going to hide these people in the military.

Colonel, you can, if you like—we are going to call the wife of this guard in. As I say, I haven't heard her testify yet. I am sure that Colonel Lindsay will want to hear it.

Col. LINDSAY. Could I go on record, for one moment here, before this gets away from me?

This gentleman said that I consider this matter a joke. I resent that. I don't consider it a joke, and I don't think I—at least I had no intention of presenting such an attitude.

The CHAIRMAN. Mr. Cohn tells me that this woman is extremely high-strung and nervous, so I think what we will do is call her in without you gentlemen, and we will give you a copy of the transcript.

Colonel, they tell me she is extremely high-strung, and if she sees a uniform she will get scared in here. She thinks she is causing her husband to lose his job, and all that sort of thing. So that we will be glad, as I say, to call you up and give you a resume of the testimony—incidentally, you can have a transcript of any testimony concerning any employee working under you, and that is true of you gentlemen also. That is a violation of our normal rules in executive hearings, and I think this is important that you should have any testimony you want made available to you immediately.

I think Mr. Cohn has made a good suggestion here, and that is that we have already made a formal request for the names of the people who cleared these two individuals, the information available to them at the time they were cleared, and what, if anything, is to be done, and I think, Colonel, you are in a position to let us know this afternoon what is to be done in these two cases. I think you will be able to tell us, also, Colonel—you can also check with Washington and see if they object to your giving us the names of these people who cleared these individuals. There should be no reason why we couldn't get that information.

You understand, I am not ordering you to produce the information as to what is in the file. I want to know this afternoon, however, whether or not it is to be the attitude of your department that we cannot have this information, and there is no reason why we should wait for weeks for that. We should have that right away. Do you understand that, Colonel?

Col. JOHNSON. Yes.

Mr. COHN. Two things: Number one, what action is the army going to take against Mrs. Powell, who, you have been advised, has claimed the Fifth Amendment, refusing to answer on the grounds of self-incrimination whether or not she was a member of the Communist party up through 1948, plus all the other evidence against her which the senator has outlined, which has been available to you.

The CHAIRMAN. We want to know whether she is to be suspended or not.

Mr. COHN. Yes. Number two, with reference to Palmiero, Francesco Palmiero, the security guard out at the Signal Corps Photographic Center, whether or not he is going to be kept on duty and allowed to go to his job this afternoon and every other afternoon until someone does something, in spite of the fact that he has admitted to the committee that he knowingly signed a Communist party nominating petition, a copy of which we have shown you; has been a registered member of the American Labor party, named as a Communist party front through 1949; doesn't know whether communism is good or bad, and so on and so forth.

We want to know what action is going to be taken at once, if any, against these two people, number one.

And number two, we want to know whether or not we are going to be given the information as to what people at every level are responsible for hiring and for retaining these people, and Albert Feldman, Albert Eli Feldman, who we have advised you has also admitted having signed two Communist party petitions, who was a subscriber to the *Daily Worker*, a member of Ben Gold's 100 percent Communist Fur and Leather Workers Union. We want to know what actions can be taken with reference to those three people and who is responsible at every level for having, A, hired them, and B, retained them following receipt of this investigation.

We made the original request for this information on Monday, three days ago, just as soon as we had the first testimony here, and it is now Wednesday, and as the senator said, in the case of the Government Printing Office, within a half-hour after this arose, action was taken and there was just nothing to it. I think we are entitled to know, as the senator has outlined—

Col. JOHNSON. May I ask to whom you made the request for these names?

Mr. COHN. Captain Kotch, security officer. Written request was made yesterday; Monday a telephonic request was made of Captain Kotch, who is the security officer at the Quartermaster depot.

Col. JOHNSON. Yes, I know where he is located.

The CHAIRMAN. Also, Colonel Lindsay, you are the man, rather than the other colonel, to give us the information as to what, if anything, is to be done about the guard. I would like to know, for example, if he is going back to work at four o'clock this afternoon to guard the gate. It must have some importance, or you wouldn't have a guard there.

Colonel, you seem to have something you want to say.

Col. JOHNSON. Yes, sir. I would like to—in fact, I wish to bring this up. It is the president's directive of 13 March 1948, which has not been superseded and which is now part of our army regulations

380-10, of 23 November 1951, and changes No. 1 to army regulations 380-10 of 28 May 1952.

Fifty-five of that regulation contains a presidential directive of 13 March 1948. These state:

The efficient and just administration of the Employee Loyalty Program, under Executive Order No. 9835 of March 21, 1947, requires that reports, records, and files relative to the program be preserved in strict confidence. This is necessary in the interest of our national security and welfare, to preserve the confidential character and sources of information furnished, and to protect government personnel against the dissemination of unfounded or disproved allegations. It is necessary also in order to insure the fair and just disposition of loyalty cases.

For these reasons, and in accordance with the long-established policy that reports rendered by the Federal Bureau of Investigations and other investigative agencies of the executive branch are to be regarded as confidential, all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and, shall not be transmitted or disclosed except as required in the efficient conduct of business.

Any subpoena or demand or requests for information, reports, or files of the nature described, received from sources other than those persons in the executive branch of the government who are entitled thereto by reason of their official duties, shall be respectfully declined, on the basis of this directive, and the subpoena or demand or other requirement shall be referred to the Office of the President for such response as the President may determine to be in the public interest in the particular case. There shall be no relaxation of the provisions of this directive except with my express authority.

This directive shall be published in the Federal Register.

HARRY S. TRUMAN.

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Changes No. 1, 29 May 1952, AR 380-10, Military Security—Laws, Executive Orders, etc. Pertaining to Safeguarding Military Information.

55. Presidential Directive of 13 March 1948.

(Added) This Presidential directive has been relaxed as follows:

Hereafter, no information regarding individual loyalty or security cases shall be provided in response to inquiries from outside the Executive Branch unless such inquiries are made in writing. Where proper inquiries are made in writing, replies will be confined to two categories of information as follows: (1) If an employee has been separated on loyalty grounds, advice to that effect may be given in response to a specific request for information concerning the particular individual; and (2) if an employee has been separated as a security risk, replies to specific requests for information about that individual may state only that he was separated for reasons relating to suitability for employment in the particular agency. No information shall be supplied as to any specific intermediate steps, proceedings, transcripts of hearings, or actions taken in processing an individual under loyalty or security programs.

There is no objection to making available the names of all members of an agency loyalty board, but it is entirely improper to divulge the members who sat on particular cases.

No exception shall be made to the above stated policy unless the agency head determines that it would be clearly in the public interest to make specified information available, as in instances where the employee involved asks that such action be taken for his own protection. In all such cases, the requested information shall be released only after obtaining the approval of my office.

Extracts from President's letter to Secretary of State, dated April 1952 (AG 380.01 (19 May '52) (G2-SMI)

By order of the Secretary of the Army.

J. LAWTON COLLINS,  
*Chief of Staff, U.S. Army.*

Of course, that is part of our army regulations under which we are governed.

The CHAIRMAN. I understand you can't violate those regulations, but all we are asking you to do is to get in touch with your superiors and find out whether or not they are going to withhold this information from us.

Col. JOHNSON. Our headquarters would get in touch with Washington on that and inform you of the results. That can be done by telephone. Will that be satisfactory?

The CHAIRMAN. Certainly.

Mr. SCHINE. Just so that you know where to get us, if we are not here you can reach me at my office. You have the number Colonel Johnson.

Col. JOHNSON. Yes, sir, all right, sir. As indicated, that information of the various levels is in the files. The action, sir, taken of course, is that of the commander concerned.

Major Krau makes one suggestion that I indicate that it has always been the policy of our headquarters—and this goes back to the time that I came here two years ago as G-2—that we consider that the government's interests are paramount in any recommendation we make, that that has to be the criterion. In other words, the security of the government must come before everything else.

[Witness excused.]

#### TESTIMONY OF LOUIS FRANCIS BUDENZ

The CHAIRMAN. Will you stand and raise your right hand, please?

In the matter now on hearing before the committee, do you solemnly swear that the testimony you will give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BUDENZ. I do.

Mr. COHN. For the record, Professor, you are assistant professor of economics at Fordham University?

Mr. BUDENZ. Yes, sir, and also at Seton Hall University.

Mr. COHN. And prior to that time you taught at Notre Dame?

Mr. BUDENZ. That's correct.

Mr. COHN. Prior to that time, from 1935 to 1945, were you a member of the Communist party holding various offices, including membership on the national committee, including the managing editorship of the *Daily Worker*, and the presidency of the Four Freedoms Corporation?

Mr. BUDENZ. Freedom of the Press—

Mr. COHN. Freedom of the Press Corporation, which published the *Daily Worker*, as well as memberships on many other commissions and important bodies in the Communist party; is that correct?

Mr. BUDENZ. That is correct.

Mr. COHN. And since the time you have left the Communist party, you have responded to subpoenas from various legislative and executive agencies and have given complete and full cooperation to the Federal Bureau of Investigation in exposing the Communist conspiracy; is that correct?

Mr. BUDENZ. I have done the best that I could, yes.

Mr. COHN. And you have testified, under oath, in this building at the trial of both the first and second-string Communists, who were all convicted by juries in this building; is that correct?

Mr. BUDENZ. That is right.

Mr. COHN. Now, Professor Budenz, I will show you a picture—we will ask to be deemed marked Exhibit 1—which is a picture of Doris Walters Powell.

Mr. BUDENZ. Yes, sir.

Mr. COHN. Do you recall that picture, Professor?

Mr. BUDENZ. Yes, sir.

Mr. COHN. Do you recall having seen Doris Walters at any time when you were a member of the Communist party?

Mr. BUDENZ. Yes, sir, I know her as Doris Walters.

Mr. COHN. Will you tell us the circumstances, as you recall them?

Mr. BUDENZ. First of all, I have met Miss Walters in the office of the *Daily Worker* when she was in the company of Doxie Wilkerson.

Mr. COHN. Will you tell us who Doxie Wilkerson was?

Mr. BUDENZ. Doxie Wilkerson was one of the most important Communists in this country, particularly in the attempt to infiltrate organizations of the Negro people. He was considered to be the theoretician of the party on the Negro problem in particular, and wrote columns for the *Daily Worker*. It was, as I remember it, in connection with these columns that I met Miss Walters. It may have been in connection with some other matter because Wilkerson was very frequently in the *Daily Worker*.

Mr. COHN. Now, would it be possible for Doris Walters to have been in the *Daily Worker* in company with Wilkerson if she were not a member of the Communist party?

Mr. BUDENZ. No, particularly because of the problems we discussed. We discussed them as Communists, and Wilkerson let me know that she was a comrade.

Mr. COHN. In other words, you felt perfectly free in discussing the business of the Communist party with Wilkerson, who was, you say, one of the top Communists in the country, and with Doris Walters, who is now Mrs. Powell, and you considered her completely trustworthy, from the Communist standpoint.

Mr. BUDENZ. Yes, I did, on Wilkerson's say-so. That is the method used, by the Communists, personal approval.

Mr. COHN. Now, Professor, I want to advise you of this too: We have had this Doris Walters in here; she is currently employed by the army here in New York. She yesterday claimed a Fifth Amendment privilege as to membership in the Communist party through 1948. We have had so many claims of the Fifth Amendment before this committee in recent months. I wonder if you would just take a second to tell us whether or not, when you were in the Communist party, you gained any knowledge as to the use of the Fifth Amendment by the Communists?

Mr. BUDENZ. Not that specifically, but I do know that they discussed various legal methods of this character in order to defeat technically the government, that this was a constant subject of discussion. I could give you many instances of that; in the case of an alien who resigns from the party—which they never did actually—technically, to say they were not Communists; then in addition, withdrawing from the Communist International, where there was no such withdrawal.

Much of the Communist discussion was preoccupied with technically defeating the government.

Now, in this matter here of the Fifth Amendment, you will observe that J. Peters, the notorious espionage agent and representa-

tive of the Communist International here, was the first to make this plea—at least the first outstanding Communist to make this plea—before the House Committee on Un-American Activities in the Hiss proceedings. Knowing Communist methods, I can tell you just as though I knew of my own knowledge that this was a signal to the Communists to follow that procedure. They watch their leaders, and what the leader does they imitate.

Mr. COHN. That is helpful, Professor. One other thing, I wanted to ask you this: We had sworn testimony in here yesterday by a man named Denton Brooks, who is a very strong anti-Communist, who became editor of the *People's Voice*, after Doxie Wilkerson was ousted. Brooks described a situation as to when he got up to the *People's Voice*, Wilkerson was editor and in control and had brought in a woman named Marvel Cook, who was the Communist party representative up at that paper, and that Wilkerson had as his secretary this Doris Walters, whom you have testified you had seen in the company of Wilkerson at the *Daily Worker*. Mr. Brooks testified that this Doris Walters admitted to him finally that she had been coming into his office on Sundays, in company with Marvel Cook, and going through his files in an attempt to obtain information derogatory to Brooks, because of the way he was running the paper, and trying to rid it of Communists.

I wanted to ask you this: Is that a typical Communist method, when an anti-Communist comes into an organization and tries to oust them? Is that a typical Communist method?

Mr. BUDENZ. That is the regular Communist method.

Mr. COHN. To place their people in there and try to get the goods on the anti-Communist who is trying to oust them?

Mr. BUDENZ. That is the regular Communist method. It is not just a casual thing; it is the regular procedure—whispering campaigns, reflections on their integrity, reflections on their ability, to get them out.

May I add here, Mr. Cohn—

Mr. COHN. Surely.

Mr. BUDENZ [continuing]. That I know Doris Walters beyond meeting her with Doxie Wilkerson. I have met her at either the National Convention of 1944, or an extraordinary national committee meeting in that year, or about that time, with Claudia Jones.

Mr. COHN. Who is Claudia Jones?

Mr. BUDENZ. Claudia Jones is another very outstanding leader in the Communist party.

Mr. COHN. Is she one of the second-string Communist leaders who was convicted by a jury in this building a few months ago?

Mr. BUDENZ. That's right, and she has written for *Political Affairs*, as has Doxie Wilkerson, which makes them have a particularly outstanding position. Anyone who writes in *Political Affairs* is a Communist authority.

Mr. COHN. Would you say that this Doris Walters is a good person to have working for the United States Army?

Mr. BUDENZ. I think on the views both of loyalty and of security, she should be removed at once.

Mr. COHN. I have nothing further, Senator.

The CHAIRMAN. That is all, Louie.

[Witness excused.]

**AFTERNOON SESSION**

**TESTIMONY OF AUGUSTIN ARRIGO**

The CHAIRMAN. Will you stand up and raise your right hand, please?

In the matter now on hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing, but the truth, so help you God?

Mr. ARRIGO. Yes.

Mr. COHN. Mr. Arrigo, where do you live now?

Mr. ARRIGO. I live at 30-11 35th Avenue, Long Island City.

Mr. COHN. Where do you work?

Mr. ARRIGO. I work at Municipal Broadcasting System.

Mr. COHN. What do you do there?

Mr. ARRIGO. I am a laborer.

Mr. COHN. How long have you been working there?

Mr. ARRIGO. That's thirteen years.

Mr. COHN. Thirteen years?

Mr. ARRIGO. Fourteen years, since 1939—August 16, 1939.

Mr. COHN. Did you ever work for the United States government?

Mr. ARRIGO. Never.

Mr. COHN. Now, have you ever been a Communist?

Mr. ARRIGO. No.

Mr. COHN. Have you ever belonged to the American Slav Congress?

Mr. ARRIGO. No.

The CHAIRMAN. What is the answer?

Mr. ARRIGO. No.

Mr. COHN. You have never belonged to the American Congress?

Mr. ARRIGO. No.

Mr. COHN. Have you ever belonged to the International Workers Order?

Mr. ARRIGO. Yes, I was in, yes.

Mr. COHN. You were?

Mr. ARRIGO. Yes.

Mr. COHN. When did you belong to that?

Mr. ARRIGO. It was in 1944.

Mr. COHN. How long?

Mr. ARRIGO. Oh, I think I drop out 1949, something like that.

Mr. COHN. Did you know that it was a Communist organization?

Mr. ARRIGO. Well, this I don't know. The only thing I know, I read in the paper was in a black list and I stop, I don't want to belong in such organization.

Mr. COHN. Didn't you know when you were in there it was a Communist organization?

Mr. ARRIGO. What you say, Mister?

Mr. COHN. Didn't you know when you were in there that it was a Communist organization?

Mr. ARRIGO. No, I never heard that. The only thing they talk about to sell insurance. I was buy insurance, because it was a little cheaper over there, because I can't afford it. The other things I can't tell you.

Mr. COHN. Did you ever have anything to do with the Fraternal Society of Canicatta?

Mr. ARRIGO. Yes, sir.

Mr. COHN. What?

Mr. ARRIGO. I am a member there.

Mr. COHN. I see. Did you ever know that that was a Communist organization?

Mr. ARRIGO. Oh, no.

Mr. COHN. Did that have any connection with the American Slav Congress?

Mr. ARRIGO. No, no such organization.

Mr. COHN. Did you ever hear of the American Slav Congress?

Mr. ARRIGO. Well, the paper talking, and even in the radio, I don't even know whose this kind organization, the people was. I never played ball with this kind people.

Mr. COHN. Did you ever go to any meeting of the American Slav Congress?

Mr. ARRIGO. No.

Mr. COHN. Do you know anybody—

Mr. ARRIGO. I tell you, I don't even know this kind organization. You know, when I find out, when I read in the newspaper and I find out was included, I say yes, so I drop right away. That's why I know these things here. Otherwise I never know.

Mr. COHN. Were you a reference to Francesco Palmiero for government employment?

Mr. ARRIGO. Yes, sir.

Mr. COHN. Did you know him pretty well?

Mr. ARRIGO. Well, I know him since '40, '41, something like that. We live in a project together, you know. That's the time I meet him.

Mr. COHN. When did you last see him?

Mr. ARRIGO. Last time? When was that? Well, I move from project 1950, February 25th. I think I saw him couple of times, because he get a bus near where I live at the present time, you know, in 35th Avenue. I say, "Hello, Frank." That's the only time I saw him, because he works near there.

Mr. COHN. Do you know he was a Communist?

Mr. ARRIGO. No.

Mr. COHN. Did you ever talk communism with him?

Mr. ARRIGO. No.

Mr. COHN. Didn't he ever talk to you about his beliefs in communism?

Mr. ARRIGO. This I don't know, because he never talked to me.

Mr. COHN. Well, he must have talked to you one time.

Mr. ARRIGO. He never talks, because I don't believe either myself.

Mr. COHN. What?

Mr. ARRIGO. I don't believe myself. I'm not interested to hear such things.

Mr. COHN. Did he ever talk about Russia to you?

Mr. ARRIGO. No.

Mr. COHN. You didn't know whether he was or was not a Communist?

Mr. ARRIGO. No, I never know he was a Communist.

The CHAIRMAN. Can you say that he was not or he was, or is it your testimony you don't know?

Mr. ARRIGO. I don't know. I can't prove. What's the use to say yes, when I don't know? I never heard from nobody he was Communist. And if he is Communist, what I know? I no sleep with him, anyway. You know, some people look nice in the face and then the stomach is bad. I can't prove he's a Communist. I'm a liar, I say that.

Mr. COHN. How long have you known him?

Mr. ARRIGO. I told you I meet him in the project where I was living before. Was '40 or '41. I can't tell exactly. It was something like that.

Mr. COHN. I think you have already answered this question: When did you see him last?

Mr. ARRIGO. Well, exactly I don't know the date.

The CHAIRMAN. About how many years ago?

Mr. ARRIGO. I told you, I move in 1950 from project. He works near there—no very near, he works 35th Street, I think, in army building. Usually he get bus on corner Second Avenue, see, not too far from my house. He works in afternoon, I think, because eleven or twelve o'clock I see him, I say, "Hello, Fred." But he's in rush to get a bus and go home. That's the time I saw him.

Mr. COHN. When is the last time? Yesterday, the day before?

Mr. ARRIGO. Well, I can't tell. I can't remember.

Mr. COHN. Well, did you see him last week?

Mr. ARRIGO. Well, no.

Mr. COHN. Did you see him this last month?

Mr. ARRIGO. I don't think so.

The CHAIRMAN. Did you talk to him today?

Mr. ARRIGO. Today? No.

The CHAIRMAN. You didn't talk to him today?

Mr. ARRIGO. I didn't see him today. I go to work; from job I come here. Ask permission from my boss to come here.

The CHAIRMAN. So you haven't seen him for at least a month?

Mr. ARRIGO. Really, I can't tell true, because I saw him, I told you before, from downstairs, he was on top of bus. If it was a month, or three months ago, I say a lie. I tell the truth.

The CHAIRMAN. Did he tell you that he was here to testify?

Mr. ARRIGO. No.

The CHAIRMAN. He didn't?

Mr. ARRIGO. I no see him yet.

The CHAIRMAN. In other words, he has never told you that he had to come here and testify?

Mr. ARRIGO. No, no.

The CHAIRMAN. Now, did the FBI or anyone come to see you after Francesco had applied for a job?

Mr. ARRIGO. Yes, one man was saw me in my job.

The CHAIRMAN. What did he ask you?

Mr. ARRIGO. Well, he asked me all these things what you ask me now.

The CHAIRMAN. Do I understand that your testimony is that you couldn't tell us whether Francesco is or is not a Communist, you just don't know?

Mr. ARRIGO. Well, I can't prove it, because I don't know nothing about it.

The CHAIRMAN. That's all. You are released from the subpoena.

Mr. ARRIGO. Thanks very much.

**TESTIMONY OF MURIEL SILVERBERG (ACCOMPANIED BY HER COUNSEL, MILTON H. FRIEDMAN)**

The CHAIRMAN. Will you stand up, please. And raise your right hand?

In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SILVERBERG. I do.

Mr. CARR. Miss Silberberg, where do you presently reside?

Mrs. SILVERBERG. 590 Parkside Avenue, in Brooklyn, New York.

Mr. CARR. Do you work at the Our World Publishing Company?

Mrs. SILVERBERG. That's right.

Mr. Carr. 35 West 33rd Street.

Mrs. SILVERBERG. That's right.

Mr. CARR. Are you also known, or have you been known as Muriel Patterson?

Mrs. SILVERBERG. That's right.

Mr. CARR. And also Muriel Jackson?

Mrs. SILVERBERG. That's right. Do you wish me to explain that?

Mr. CARR. No, not at this point—

Mrs. SILVERBERG. Well, Muriel Patterson is my maiden name, and Muriel Jackson—I was previously married, and I was married to Jackson.

Mr. CARR. You are presently married?

Mrs. SILVERBERG. That's right.

Mr. CARR. And your husband's name is John Edmund Silberberg?

Mrs. SILVERBERG. That's right.

Mr. CARR. What is his occupation?

Mrs. SILVERBERG. He is unemployed.

Mr. CARR. Unemployed at the present time. Did you ever work at the *People's Voice*?

Mrs. SILVERBERG. I would like to decline to answer that question on the grounds that it may tend to incriminate me, and I base my rights on the Fifth Amendment of the Constitution of the United States.

Mr. CARR. Did you ever know or did you now know a girl by the name of Doris Walters?

Mrs. SILVERBERG. I would like to consult with counsel.

[Whereupon, Mrs. Silverberg consulted with Mr. Friedman.]

Mrs. SILVERBERG. I would like to decline to answer that question, sir, for the same reason that I gave before.

Mr. CARR. Just to make the record clear, do you know Doris Walters Powell? Her maiden name was Walters; her name now is Powell, Mrs. James Nathan Powell. I am not trying to confuse you; it

is the same girl. I just wanted to be sure you didn't know her and her married name.

Mrs. SILVERBERG. I would like to decline that question for the same reason that I stated previously.

Mr. CARR. Did you ever attend any Communist party meetings with this girl, Doris Walters?

Mrs. SILVERBERG. I would like to decline answering that question, for the same reason that I stated previously.

Mr. CARR. Did you work with her in connection with the Communist infiltration and attempt to control the *People's Voice*?

Mrs. SILVERBERG. I would like to decline that question also, for the same reason that I stated previously.

Mr. CARR. Do you know a woman named Marvel Cook?

The CHAIRMAN. May I say, you needn't state the grounds each time. We will assume it is on the Fifth Amendment.

Mrs. SILVERBERG. Thank you.

Mr. CARR. Do you know a Marvel Cook, a woman named Marvel Cook?

Mrs. SILVERBERG. I decline to answer that question.

Mr. CARR. Are you the same Muriel Patterson, or Muriel Silberberg, who was the bookkeeper for the Civil Rights Congress Bail Fund?

Mrs. SILVERBERG. I would like to decline to answer that question.

Mr. CARR. On the same grounds?

Mrs. SILVERBERG. The same grounds.

Mr. CARR. Are you now or have you ever been a member of the Communist party yourself?

Mrs. SILVERBERG. I would like to decline answering that question for the same reason as I stated previously.

Mr. CARR. Have you ever been a member of the organization known as the American Youth for Democracy?

Mrs. SILVERBERG. I would like to decline answering that question, for the same reasons as I stated previously.

Mr. CARR. Have you ever been employed by the Civil Rights Congress?

Mrs. SILVERBERG. I decline to answer that question, on the same grounds.

Mr. CARR. Have you ever been or are you now an official in the Harlem section of the Communist party, or a club in the Harlem section of the Communist party?

Mrs. SILVERBERG. I would like to decline answering that question for the same reasons.

Mr. CARR. Were you connected with any member of the Communist party in Harlem in the years 1947 and 1948?

Mrs. SILVERBERG. I would like to decline answering that question.

Mr. CARR. Were you ever in attendance at a school for Communist organizers in 1947 or 1948 held at the Carver School on West 125th Street?

Mrs. SILVERBERG. I would like to decline answering that question, for the same reasons.

Mr. CARR. Did you attend the same Communist Party Training School for Leadership attended by Doris Walters?

Mrs. SILVERBERG. I would like to consult with counsel.

[Whereupon, Mrs. Silverberg consulted with Mr. Friedman.]  
Mrs. SILVERBERG. I would like to decline answering that question also, for the same reasons.  
The CHAIRMAN. I think that is all. Thank you.  
[Witness excused.]  
[Whereupon, at 1:15 p.m., the hearings were adjourned to 10:30 a.m., September 3, 1953, at the same place.]



## COMMUNIST INFILTRATION AMONG ARMY CIVILIAN WORKERS

[EDITOR'S NOTE.—John Stewart Service (1909–1999) had been a Foreign Service officer in China from 1935 to 1945. On six occasions, State Department loyalty boards cleared him of disloyalty, stemming from charges that he had provided still-classified reports to the magazine *Amerasia*. In 1950 Senator McCarthy had cited him as a “known associate and collaborator with Communists.” Secretary of State Dean Acheson fired Service in 1951 after the loyalty review board found “reasonable doubt as to his loyalty.” In the case of *Service v. Dulles, et al.*, in 1957, the Supreme Court unanimously overturned his dismissal as a violation of rules established to protect employees from unfounded accusations of disloyalty. He then returned to the State Department where he held a minor post until his retirement in 1962. Service did not testify in public session.]

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THURSDAY, SEPTEMBER 3, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*New York, NY.*

The subcommittee met at 10:30 a.m. pursuant to recess, in room 128, Federal Court House, Foley Square, New York, New York, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin.

Present also: Roy M. Cohn, chief counsel; G. David Schine, chief consultant; and Harold Rainville, administrative assistant to Senator Dirksen.

### TESTIMONY OF JOHN STEWART SERVICE (ACCOMPANIED BY HIS COUNSEL, GERALD REILLY, AND BY LEO ROSEN, REPRESENTING THE SARCO COMPANY)

The CHAIRMAN. Will you stand up and raise your right hand?

In this matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SERVICE. I do.

Mr. COHN. We have your name for the record. What is your address, Mr. Service?

Mr. SERVICE. My address, residential address?

Mr. COHN. Residential address.

Mr. SERVICE. My address is 123-35 82nd Road, Kew Gardens, Long Island.

Mr. COHN. And what is your occupation?

Mr. SERVICE. I would like the record to show that I am appearing voluntarily.

Mr. COHN. I don't understand that.

Mr. SERVICE. I say I would like the record to show that I am appearing voluntarily.

Mr. COHN. I don't get that.

Mr. SERVICE. I think that is a plain statement.

Mr. REILLY. Not pursuant to any subpoena.

Mr. COHN. Well, you know the rules of the Senate; subpoena is not necessary. Any kind of a direction, just so long as it is received, be it telephonic, or verbal, is sufficient.

The CHAIRMAN. I don't think it makes any difference as long as Mr. service is here. I may say for your benefit, just in case you are called in the future, the position of this committee, and I believe of the legal staff of all the committees, is that if you are notified to be present that constitutes a subpoena. But if you want the record to show you appeared voluntarily, there will be no objection to that at all.

Mr. COHN. Now, Mr. Service, what is your occupation at the present time?

Mr. SERVICE. Businessman.

Mr. COHN. You are a businessman. What type of business?

Mr. SERVICE. Steam specialties.

Mr. COHN. Pardon me?

Mr. SERVICE. Steam specialties.

Mr. COHN. Steam specialties?

Mr. SERVICE. Yes.

Mr. COHN. Now, on what date did you leave the State Department?

Mr. SERVICE. The record shows, I believe, it was the 13th of December, 1951.

Mr. COHN. December 13, 1951. Now, from that time to the present day, have you ever done any work, directly or indirectly, or in any manner, shape or form, for any other agency of the government?

The CHAIRMAN. Strike the "other"; any other agency of the government.

Mr. COHN. Or any agency of government?

Mr. SERVICE. As an employee?

Mr. COHN. As anything.

Mr. SERVICE. I don't understand your question. I am sorry.

Mr. COHN. Well, the question is: Have you ever done any work for any agency of government since you left the State Department?

Mr. SERVICE. At the request of such—of an agency?

The CHAIRMAN. Either at their request or otherwise.

Mr. SERVICE. Well, I have not worked for any government agency; I have not been an employee of any government agency.

Mr. COHN. The question was: Have you ever done since the date you left the State Department, have you rendered any Service whatsoever to any agency of government?

Mr. SERVICE. Certainly not.

Mr. COHN. You have not. Have you had any connection with any agency of government?

Mr. SERVICE. The company for which I am employed has made sales to the United States government—but that—

Mr. COHN. You mean in connection with steam equipment, or something like that?

Mr. SERVICE. Certainly.

Mr. COHN. Outside of that, have you personally, apart from your employment with the company for which you work, done any work at all—you can interpret that very broadly—for any agency of government?

Mr. SERVICE. Well, I can't think of what you mean. I don't know of having done anything that could be interpreted in any broad way as service for a government agency.

Mr. COHN. Let me be specific. Have you ever done any work for army intelligence in any way?

Mr. SERVICE. Army intelligence?

Mr. COHN. Yes, sir.

Mr. SERVICE. Since I left the government?

Mr. COHN. Yes.

The CHAIRMAN. Since you left the State Department. There is a question whether or not you left the government; since you left the State Department, since December 13, 1951.

Mr. SERVICE. I can't think of anything that could be so described.

The CHAIRMAN. Have you drawn any pay from any branch of the government since December 13, 1951?

Mr. SERVICE. Well, after December 13th, I received some payments from the Department of State for—

The CHAIRMAN. Terminal pay?

Mr. SERVICE. Yes, payments that were due me. But otherwise I have not received anything.

The CHAIRMAN. In other words, since December 1951, you received no money from any branch of the government other than your pay from the State Department which was a result of your previous work with the State Department?

Mr. SERVICE. That is correct.

The CHAIRMAN. Have you had any connection of any kind with the Central Intelligence Agency?

Mr. SERVICE. No.

The CHAIRMAN. You are sure of that?

Mr. SERVICE. Well, I mean, if you could define no connection, perhaps—I mean, it is such a broad term.

The CHAIRMAN. Well, use it as broadly as you can. I just want to know if you had any connection with them at all.

Mr. SERVICE. I can't think of anything.

Mr. COHN. You can consult with counsel.

The CHAIRMAN. You can consult as freely as you want to. I may say to counsel, if at any time you want to have a private room to consult with your client, you may. And may I say—just off the record—better leave it on the record—I may say, we didn't just pick Mr. Service's name out of a hat and ask him to come down here. We did it because we have had what we considered reliable information that he has been working for a government agency. I think you should have that information, so that he will have that when he answers the questions.

Now, if you care to go back in the back room and consult with him, or have a private room and consult with him, you have a perfect right to do it at any time.

Mr. REILLY. We might just consult at the table.

[Whereupon, Mr. Reilly consulted with Mr. Service.]

Mr. SERVICE. The answer is no, I have not been employed by either army intelligence or any other government agency. I have received no pay from them, have done no jobs for them, have not been approached by them to do any.

The CHAIRMAN. Do you know of anyone in your firm who might be receiving pay from the CIA, which could have been interpreted as an employment of you?

Mr. SERVICE. No, I do not.

The CHAIRMAN. Have you had occasion to consult with anyone in CIA since December of 1951?

Mr. SERVICE. No.

The CHAIRMAN. Then you can say that as far as you are concerned you have drawn no pay from the CIA, you have not furnished information to the CIA, and you have drawn no pay from any other branch of the government except money which you had coming as a result of your previous employment with the State Department?

Mr. SERVICE. That is correct. Your statement is correct.

The CHAIRMAN. Did you work for the CIA prior to December 1951? I suppose that is rather difficult to answer.

Mr. SERVICE. Well, the question is the definition of the term "work." I was not employed by them; never received any payments from them. The only thing that I ever—I am not sure whether now this was actually—when I came back from New Zealand in 1949, January 1949, simply because I had been in that area for some time, the State Department was requested by the CIA, I think, to allow me to go over and be interrogated by some of their people working on affairs in that area. However, I did that merely as a State Department officer under the State Department's instructions and received no pay or compensation for it. That was in 1949. That was the only connection I can think of having had with the CIA.

The CHAIRMAN. In other words, the only connection you have had with CIA was that which a State Department employee who was in some other section of the world might normally have when he came back?

Mr. SERVICE. That's right.

The CHAIRMAN. And you have never drawn any money from CIA?

Mr. SERVICE. No.

The CHAIRMAN. As far as you know, your firm does not draw any money from CIA?

Mr. SERVICE. As far as I know, they do not.

The CHAIRMAN. Do you know of anyone in your firm who works for CIA?

Mr. SERVICE. I do not.

The CHAIRMAN. Incidentally, how large a firm is that?

Mr. SERVICE. Including the manufacturing branch, about five hundred employees roughly, I suppose—less than five hundred.

The CHAIRMAN. Are you an officer of that firm?

Mr. SERVICE. Well, there are several firms related through—well, it is a joint ownership. I am an officer, a vice-president of a small export firm, which is Sarco International.

Mr. COHN. Let me ask you this: Do you currently know anybody who is with CIA?

Mr. SERVICE. Yes. When I was in the government, I knew the various people who were working with CIA. I don't have any continuing contact with those people.

Mr. COHN. Have you had any contact with any of them since December of 1951?

Mr. REILLY. Including social contacts, I take it?

Mr. COHN. Yes.

Mr. SERVICE. I was going to say, only very passing social contacts.

Mr. COHN. With whom have you had these passing social contacts?

I just want to get to the bottom of this thing.

Mr. SERVICE. Well, you have got one problem. It is very difficult to know who is in the CIA.

The CHAIRMAN. I might say, normally we would not be concerned with your social contacts, but in view of these reports, and from what we have considered reliable sources, that you had been working for the CIA, I think these are questions that have some bearing. I am curious to know how the reports, repeated reports, could arise that you are working for CIA or the army intelligence.

Mr. SERVICE. Well, bearing in mind that they are purely social contacts and we never discussed CIA affairs, I think that I may have met a man named George Greene, and a man named Wilbur, who I believe are with CIA, although I really couldn't say for sure.

Mr. COHN. In these social contacts, has there been any discussion of CIA business?

Mr. SERVICE. None whatever.

Mr. COHN. They have never asked your opinion or advice, or spoken to you about any problems with which they might have been concerned, outside of, I assume, social matters?

Mr. SERVICE. That is right.

The CHAIRMAN. And this export firm for which you work, of which you are an officer, you don't know that they have received any money from any branch of the government other than payment for the items which you export?

Mr. SERVICE. I don't know of any such payments, no.

The CHAIRMAN. Mr. Rosen, could you do this for us? I assume that Mr. Service has no objection. Would you check the books and find out whether or not there have been any payments either by army intelligence or by CIA to this firm, and then have John here submit that. We will consider that it is submitted under oath or from any other branch of the government. I am not concerned with payments made when you sell some articles which are purchased by some branch of the government. I am not concerned with that at all. I am only concerned with payments outside of the cost of products which you sell. You have no objection to that being furnished, have you?

Mr. SERVICE. No.

Mr. ROSEN. I don't think so, Senator. I will have to check with our client. I don't think I can see any objection to it. I will certainly ascertain it.

The CHAIRMAN. That will be submitted by Mr. Service, not by you, because you are not under oath. We don't put attorneys under oath—unless they appear as witnesses.

Mr. ROSEN. These would be any payments from any government agency, as I understand it, Senator, other than for products?

The CHAIRMAN. Other than for products.

Mr. ROSEN. Other than for products sold to the government by the company.

The CHAIRMAN. You would have no occasion to sell any products either to army intelligence or CIA, would you?

Mr. SERVICE. No, as far as I know, there have been no such sales.

The CHAIRMAN. Would you also then check for any products that have been sold to the CIA or to army intelligence? Give us a list of the products and what was received for those, and then we will consider, Mr. Service, that that is being submitted by you and under oath, so you won't have to come back here.

Mr. SERVICE. All right.

The CHAIRMAN. Anything further?

Mr. COHN. No, I don't think I have anything further.

The CHAIRMAN. I think that is all. And may I say, I am sorry we had to occasion you the cost of a lawyer to come down here. That is why we told Roy to call you yesterday and tell you to come down—as I said, to tell you to come down and answer these questions without a lawyer, and after you got here if you wanted to adjourn and to get a lawyer, you could—I am trying to save you the cost of getting a lawyer.

I think that is all.

[Witness excused.]

The CHAIRMAN. Mr. Rainville, you have been listening to the testimony here for several days. You are, in my opinion, somewhat of an expert on this subject of subversion in government. You have been deeply concerned with it for some time. I just would like to ask you, if I may do it, in the nature of an order, to tell us what your attitude in this is. I think that it is important, in view of the fact you are here as a spectator, that the committee have the benefit of your thoughts on this matter, that especially the letter which we showed you this morning, which we just received from the headquarters of the First Army.

If you would care to either make a statement or insert one into the record at this point—I will ask you this way: whether you care to or not, I would like to ask you to give us your statement, and you can either make it orally or if you would care to put it in the record in writing, that will be all right.

Mr. RAINVILLE. Mr. Chairman, in view of the paragraph in the First Army's communication this morning where it says, "It should be made as clear as possible to the committee. that the names of individuals responsible for the granting or withholding of loyalty or security clearances will not be made available to the committee. This is in accordance with Presidential directive of 13 March 1948," I should like to make this statement:

It should be abundantly clear to the American people if not to the officers of the United States Army that even more important, if that is possible, than the uncovering of Communists in the military branches of the United States Government, employed at highly sensitive centers handling top secret information, is to find out who are the men that are so naive or involved in the Communist conspiracy, that they have approved these Communists as loyalty risks. It is a mockery of the very purpose of the Defense Department when traitors are employed and continued in such

employment when their membership in subversive organizations including the Communist Party itself have been fully proved.

Yesterday evidence of such party membership was given to the Army in two cases. The Signal Corps, after death threats to a witness, finally suspended a guard at the installation where top secret films are handled. The Quartermaster Corps has failed to act on a woman who handled classified information for them. Now, in view of this blunt refusal to reveal the persons who approved employment of Communists in sensitive positions, the conclusion is inescapable that they are trying to cover up those people who are incompetent beyond comprehension or are directly involved.

**TESTIMONY OF DONALD JOSEPH KOTCH, MICHAEL J. LYNCH  
AND JACOB W. ALLEN**

The CHAIRMAN. The witnesses are reminded that they are still under oath.

Capt. KOTCH. Mr. Lynch wasn't sworn, sir.

The CHAIRMAN. Mr. Lynch, would you stand and raise your right hand?

In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LYNCH. Yes.

The CHAIRMAN. The other witnesses are reminded that they are still under oath.

Mr. COHN. I understand, gentlemen, you have produced here the personnel files on Mrs. Powell and on Mr. Feldman, is that correct?

Mr. LYNCH. That's correct.

Mr. COHN. And your position is, as far as anything bearing on loyalty, that that has been submitted to Washington to see whether or not a release can be secured under the old Truman secrecy order; is that correct?

Capt. KOTCH. Yes.

Mr. ALLEN. That is correct, based on the Department of Army directives.

Mr. COHN. Any reply been received from Washington yet?

Mr. ALLEN. No, sir.

Mr. COHN. Has any action been taken to suspend Mrs. Powell, Captain?

Capt. KOTCH. No—

Mr. ALLEN. Well, I told Mr. Schine last evening that the only action or statement that we could make in connection with it was that since the girl is on leave and that the security of the office is not being compromised or endangered, that action will be taken to assure that she does not return to duty until such time as information before the committee has been evaluated, together with all other pertinent data.

Mr. COHN. Now, let us see, Mr. Allen. Let me ask you this, Captain: Is Mrs. Powell still on the rolls of the government as an employee?

Capt. KOTCH. She is carried on the rolls.

Mr. COHN. Does she still have her identification, as far as you know?

Mr. LYNCH. I would say yes.

Mr. COHN. She still has her identification. Do you think that somebody who comes before this committee, and refuses to answer under the amendment on the ground of self-incrimination whether or not she was a member of the Communist conspiracy up through

1948, should be continued on the rolls of the United States government, permitted to carry identification as a United States government employee?

Mr. ALLEN. Is that a—are you asking for a personal opinion?

Mr. COHN. Well, that is asking for an official opinion, or any kind of an opinion.

The CHAIRMAN. You are the gentleman in charge, and we would like to get your opinion.

Mr. ALLEN. I believe that Captain Kotch answered the question yesterday.

Capt. KOTCH I would say no.

The CHAIRMAN. Would her ID card allow her to enter the office now?

Mr. ALLEN. Actually we do not require the production of identification, I don't believe, in order to enter the building.

The CHAIRMAN. Well, she has got the identification card, and has got an ID card showing she is a government employee?

Mr. LYNCH. I assume so. The only time they give up their ID is when there is a complete separation from the government, which is not so in her case.

The CHAIRMAN. So that as of today she would have the same access to the material in the office that she had before her maternity leave?

Mr. ALLEN. Well, no. She is not in a position to return to duty.

The CHAIRMAN. Well, I am not talking about returning to duty. If this employee—who is still an employee—comes back, she's got her card showing she is still a full-fledged worker except for her maternity leave. There has been no order put out to show that she shall be denied to any material in the office?

Mr. ALLEN. I believe, Senator, that the files disclose that the employee has been notified to inform the office at least fifteen days prior to any intended return to duty.

The CHAIRMAN. You mean to start to work?

Mr. ALLEN. Yes, sir.

The CHAIRMAN. You said you have to evaluate the material before you decided whether or not she will be separated. I am curious to know what more we must produce. We produced Louis Budenz, who has testified that she was a Communist; she was in the *Daily Worker* office in the presence of a member of the national committee. Your officer sat here and listened to that the other day. They discussed the business of the Communist party in the presence of her, considered her completely trustworthy as a member of the party. Her fellow members of the party were called in, top members; without exception, they made selective answers, answered certain questions, but when questioned about Mrs. Powell, their answer was always the same, they refused to answer on the ground the answer might tend to incriminate them. We had her sworn testimony that she had a card in the Communist party, she attended a Communist party leadership school; her refusal on the grounds of self-incrimination that in the late '40s, she was a member of the party.

You say you will have to evaluate all of that. I am just wondering what more you need.

Mr. ALLEN. I don't believe we had that type of testimony up until this time, Senator. The only information we had given was that she had refused to answer as to whether or not she had been a member of the party, on the grounds of self-incrimination.

The CHAIRMAN. The head of G-2 then sat here and listened to the testimony of Budenz. He had a complete resume of it. Now, we can't run over, you understand, and follow everyone around and give them a resume. We gave the head of your G-2 the resume and asked him what steps are going to be taken. He sat here and listened to the witness. We can't give you much more

I may say, as far as we are concerned, this committee is going to keep on at this case until you get rid of this woman. She is not going to come back and handle that material if we can help it, and I think we can. It is a question of how long you fellows are going to resist that. You can suspend her today, or tomorrow, or the next day, but if it is within my power—and I think it is within the power of the committee—she will not come back.

As I said before, I have no interest in discrediting the United States Army. I think it is unfortunate that we have to. We must show that they are resisting the removal of Communists, we all end up hurt, not only the army but every American who must depend upon the army. But I have no choice in the matter at all. The only way I can apparently force the army to take action in a case like this is to do it through the public. That means through the press. In that connection, I have the most fantastic letter I think I have ever received under any administration, signed by Wendell G. Johnson, Colonel, G-2, United States Army, and in which he says he is transmitting information which he received from the Department of the Army in answer to our request for the names of those who ordered the people identified as Communists. He says, "It should be made as clear as possible to the committee. that the names of individuals responsible for the granting or withholding of loyalty or security clearance will not be made available to the committee."

His grounds for that are that the information should not be supplied without the approval of the secretary of the army. This is from the secretary, saying, "You can't have the names."

Well, I would say the army can go ahead and try to get away with this; they may even be able to do it—I don't know—but they won't very easily do it.

Now, you gentlemen have a woman over there who has been completely and thoroughly identified as a Communist, who takes the Fifth Amendment, and you say you won't take any action to separate her because "we haven't had a chance to evaluate the testimony." You have it all.

In comparison to the attitude of your commanding officer over in QM, we have the commanding officer of the Signal Corps, who promptly suspended a man upon whom the evidence wasn't nearly as strong as it is upon your Mrs. Powell. In that case, the only evidence was—it was strong, sure, but not nearly as strong as the case of your woman. I think you are aware of the evidence—signed pledges to support Communist candidates; he said he wouldn't say whether he thought communism was good or bad; identified as having been a preacher of the Communist doctrines and loyal to them,

but he never actually joined the party. I just give you that so the record will be absolutely clear, so that no one over there can say that you were denied this information, that you were asked to operate in the dark.

Let me ask one final question. I understand that as of today you are taking no steps to suspend this woman, to revoke her government ID card and have her return that; there is nothing being done despite all this information which I have; is that correct?

Mr. ALLEN. Well, yes, I would say that is correct, except that we have taken definite action in response to the request of the committee, first to request a clearance for the production of the files. We have also made available to the Department of the Army officials the exact situation as we have been further advised by the committee, and we have every assurance that, as we told the committee, that she will not return to duty until such time as all of this evidence has been evaluated.

The CHAIRMAN. Why isn't she suspended, the same as the man over in the Signal Corps was suspended? Why does she continue as an army employee?

Mr. ALLEN. Well, primarily, I think, so far as our office is concerned, it is because we are bound by the regulations and we have to wait until we get a decision from the higher authority on it.

The CHAIRMAN. Well, if I am on the rolls, the army rolls, if I hold an identification card, as she does, I can walk into any of your army offices and show my identification card, and talk to other employees, can't I?

I can get through any of the gates?

Capt. KOTCH. You could get into the building.

The CHAIRMAN. In fact, I can get into almost any army enclosure, get through the gate, by showing my identification, identifying myself as that person, couldn't I?

Capt. KOTCH. That identification card that we issue is for our building only, for 111 East 16th Street.

The CHAIRMAN. That would be of some value to her in getting into any other government department, would it not be, if she can go over to the individual and say, "Here, I work for the army, here is my identification card"?

The guard at the gate would have a lot more confidence in her, wouldn't he?

Mr. ALLEN. They would normally inquire the nature of her business, in consultation with whoever she wanted to see, which would be normal practice.

The CHAIRMAN. Then just so that this is clear, as of today you have no intention of suspending her until you get further information?

Mr. ALLEN. We are awaiting further information from——

The CHAIRMAN. You need further information?

Mr. ALLEN. Yes, sir.

The CHAIRMAN. Well, I might tell you there is no further information that we can give you than the fact that she is a Communist.

Mr. ALLEN. I didn't mean from the committee; I meant from Washington, or from G-2, First Army.

The CHAIRMAN. Who has the authority to suspend her?

Capt. KOTCH. The commanding officer.

The CHAIRMAN. What is his name?

Capt. KOTCH. Colonel Robert A. Howard, Jr.

Mr. ALLEN. I called Colonel Howard, at Mr. Schine's request, and asked him to be available at 2:30, and he said that was all right.<sup>55</sup>

The CHAIRMAN. Let me ask you, Captain, is it your job to recommend the suspension of an individual—is it your job to recommend for or against the suspension of an individual suspected of being a loyalty or a security risk?

Capt. KOTCH. Yes, sir, make a recommendation.

The CHAIRMAN. Have you recommended in this case that this woman be suspended, that her card be revoked?

Capt. KOTCH. The case came about before my taking over as security officer.

The CHAIRMAN. No, I mean as of yesterday; you have been in here two days, so you know all about her case. Your job is to recommend, I assume, either for or against the suspension. Have you made any recommendation to your commanding officer?

Capt. KOTCH. I discussed the case with the commanding officer.

The CHAIRMAN. It is rather important. You are an intelligence officer; you are charged with a very important responsibility. I am curious to know whether you recommended that her identification card as a government worker be picked up, that she be suspended, or do you think she should be continued until you get further information?

Capt. KOTCH. I did not make an official recommendation to the commanding officer. However, I did discuss the case with him.

The CHAIRMAN. Well, do you think she should be suspended immediately, or you should wait?

Mr. ALLEN. Of course, this is all tied up with our restrictions, sir, against discussing these loyalty files, unfortunately.

The CHAIRMAN. I am not asking about any loyalty file. I am asking for the judgment of the man who is in charge of intelligence about a Communist. I ask whether he thinks she should be suspended. One of our tasks is to get some picture of the people who are in charge of these things.

We are curious to know why Communists remain on. I am curious to know why a person now known to you as a Communist—there is no doubt in any of your minds that she is a Communist—I am curious to know why she is kept on, and the type of thinking. I am not asking for the content of the file; I am asking for the con-

<sup>55</sup>According to notes taken by the secretary to Joseph W. Bishop, Jr., the acting chief legal officer of the Department of the Army, G. David Schine called Bishop on September 3 to report that "The Chairman of the Committee, Senator McCarthy, asked me to find out whether you had advised Colonel Howard not to state his opinion whether a Communist should or should not be suspended. Is that true?" Bishop said that he had "called his attention to the provisions of the Presidential directive of 3 April 1952." "I know that directive," Schine interrupted. "Did you tell him that he should not say whether he felt that this person should be suspended?" "Not if his personal opinion is the same thing as his official opinion," said Bishop. "You know for the past couple of days we have been trying to get information," Schine continued, ". . . and we can't seem to get any action from the Army in this matter, and we don't quite understand. We think this is bad public relations on the Army's part." Bishop responded, "As you know, Mr. Schine, we are bound—." But Schine interrupted again. "I don't care if you are bound or not. The fact is you are doing a great disservice to the Army." Bishop concluded the conversation by stating that "we will be glad to cooperate in making available to the committee any information which is authorized by directives from higher authority." Quoted in William Bragg Ewald, Jr., *Who Killed Joe McCarthy?* (New York: Simon and Schuster, 1984), 74–75.

tent of your thinking in this. The question is: Do you think she should be suspended, now that you know she is a Communist?

Capt. KOTCH. In my personal opinion, a person that is known to be a Communist should be suspended.

The CHAIRMAN. Do you think this woman should be suspended? You know all of the evidence on her. I just recited it to you. Do you think she should be suspended.

Mr. ALLEN. I think I could say this—

The CHAIRMAN. I am asking the captain. He is the intelligence officer.

Mr. ALLEN. I am sorry.

The CHAIRMAN. It is a very simple question. The evidence has been recited to you now showing that she is a Communist by her own admission, her refusal to answer, the testimony of Budenz. Now, do you think with that picture she should be suspended.

Capt. KOTCH. I feel that the person should be suspended.

The CHAIRMAN. I can't conceive of any other answer.

Mr. Allen, as legal officer, you have to do also with the drafting, I assume, of any of the documents in connection with the suspension. I assume that your advice is considered over there—at least I know when I was a legal officer at one time in the Marine Corps, the commanding officer would ask the advice of the legal officer. I assume he does the same with you. Do you think this woman should be suspended, now that you have all the information on her?

Mr. ALLEN. Yes, sir, I do.

The CHAIRMAN. Let us see those files you brought over this morning, Mr. Lynch.

[Whereupon, Mr. Lynch produced the files.]

Mr. ALLEN. That one is on Powell, I think [indicating]. The other one is on Feldman.

Mr. LYNCH. Right file, I might explain—the right side contains the permanent records, and the left side contains the temporary records, which are substantiated by a document on the right.

Mr. ALLEN. They start at the bottom and come up. The latest action would be on top.

The CHAIRMAN. I imagine you want to stay with the records. Why don't we have either Dave, or Roy, or someone go over these, Mr. Lynch, and we can go out to lunch, and when we come back we can decide which, if any, we need to make a record of?

I notice in her application she doesn't list all of her education background; she doesn't list the Claudia Jones School that she attended. Do they swear to this?

Mr. ALLEN. No, sir.

Mr. COHN. It would be a false statement in a matter pending before—

Mr. ALLEN. I think there is an affidavit in there, a loyalty affidavit.

The CHAIRMAN. What does this mean, when it says it refers to "coded specifications"? Does that refer to code in the military sense?

Mr. ALLEN. Is that a job description?

The CHAIRMAN. Yes.

Mr. ALLEN. I don't know.

The CHAIRMAN. What are "coded specifications in connection with buyers"?

Mr. ALLEN. Coded?

The CHAIRMAN. Coded.

Mr. ALLEN. They seem to think it just means some numbering for a certain series of specifications.

The CHAIRMAN. I see.

This is interesting in here. We note she was working for the Navy Department and the Ordnance Department while she was working for Doxie Wilkerson, member of the national committee of the Communist party, at the same time.

Mr. COHN. The Third Naval District is New York, isn't it?

Capt. KOTCH. Yes.

The CHAIRMAN. You want to take this back with you, do you?

Mr. LYNCH. Yes, Senator. The documents are numbered. Any one you want, we will supply photostats of if you just give us the number.

Mr. COHN. Mr. Lynch, maybe you could help us here. I am looking for the names of the references, sir, that she gave. You might have more familiarity with these forms.

Mr. ALLEN. It will be on Form 57.

Mr. SCHINE. Where is the Form 57?

Mr. LYNCH. Here [indicating].

Mr. COHN. How about her references for employment with the Navy Department?

Mr. ALLEN. I think she came to our office on transfer from First Army at Governor's Island.

Mr. COHN. That's right.

Now, how about the First Army 57?

Mr. LYNCH. First Army 57?

Mr. COHN. Yes, sir.

Mr. LYNCH. We don't seem to have that, Mr. Allen.

Mr. ALLEN. I thought I saw a 57 when I was going through that file.

Mr. LYNCH. That is the old personal history statement.

We are talking about the green one. I didn't notice any this morning when I went through it.

Mr. COHN. How about her 57 when she went to First Army? How can we get that?

The CHAIRMAN. You wouldn't have a copy of her form 57?

Mr. LYNCH. If it is not in the file, sir, I don't have it.

The CHAIRMAN. You wouldn't have the 57 when she applied for a job with the Ordnance Department, or the Department of the Navy, would you?

Mr. ALLEN. Not unless it was in this file.

Mr. COHN. We would really want to see that.

Could you show me the same thing on this file, Mr. Lynch?

Mr. LYNCH. Surely. Is this Feldman?

Mr. COHN. Yes.

The CHAIRMAN. Apparently he doesn't have a very important job.

Mr. LYNCH. He has been on non-sensitive duty ever since his time with us.

Mr. COHN. We get a copy of the form 57 on each of these two people photostated and sent to us?

Mr. ALLEN. Surely.

Mr. LYNCH. On Feldman we will get the S.F. 60.

Mr. COHN. Oh, sure.

Mr. ALLEN. The job sheet.

The CHAIRMAN. Yes, the job description, showing what her work is.

Mr. COHN. And any form showing her employment with any other government agency besides you people?

The CHAIRMAN. If possible, I would like to get the references she gave when she got a job with army Ordnance at the Frankfort Arsenal and with the Navy Department, if you have it available. You perhaps wouldn't be able to get it.

Mr. COHN. You wouldn't have the navy, would you?

Mr. ALLEN. We would only have from them what is in that file.

The CHAIRMAN. Wouldn't you get a copy of her 57 that she filed with the navy when you hired her?

Mr. LYNCH. We should have. When we requested her 201, anything she had would have been sent over.

The CHAIRMAN. I notice you have the correspondence with her and the navy. I wonder if you would do this, Mr. Lynch, if you would glance through that and see if you could find the Navy Department's Form 57. We would like to have photostats of that; also her job description, and anything else that would show who she used as references.

On Feldman, Roy, I want—

Mr. COHN. The same thing.

The CHAIRMAN. Form 57. I don't think his job sheet is important. Apparently, from the job sheet he was a common laborer, loading and unloading trucks.

Mr. LYNCH. Just one copy?

The CHAIRMAN. One copy.

Mr. ALLEN. The job description also of Feldman?

The CHAIRMAN. Yes, I think we should have that also.

We will make this letter a part of the record.

HEADQUARTERS FIRST ARMY, GOVERNOR'S ISLAND,  
OFFICE OF ASSISTANT CHIEF OF STAFF, G-2  
*New York 4, NY, September 3, 1951.*

To: Mr. G. David Schine, Senate Investigating Committee, U.S. Court House (First Floor), Foley Square, New York, NY.

DEAR MR. SCHINE: After receiving a reply from the Department of Army to the requests which the Committee gave me orally yesterday morning, I telephoned your number, Murray hill 8-0110, about 6 p.m., and was informed you were not there; and that I might try Plaza 5-7468, which I did with no success. I also phoned the U.S. Court House (Cortlandt 7-7110), but was informed by the guard that the switchboard was closed. For that reason, I phoned your hotel again and left my home telephone number at which you reached me at midnight. In accordance with your request at that time that I send you a memorandum of the oral reply that I received from the Department of Army, the following is furnished, but being a transcription of a telephone message it should not be construed as a written reply of Department of Army.

#### QUESTION 1

What action is the Army going to take on the three individuals named by the Committee in the light of the information unavailable?

Answer. Security considerations affecting the named individuals, like any other employees of Department of Army, will be dealt with under the applicable directives and regulations, particularly Executive Order 10450 dated 27-8 1953 (change 2 to AR380-10) and special regulation 620-220-1, Department of Army. In this connec-

tion the responsible security authorities of Department of Army are glad to consider any pertinent information that the Committee may care to make available.

## QUESTION 2

The Committee desires that the Army furnish the names of the individuals responsible at each level for the hiring of these persons and the names of the persons responsible at each level for retaining them on government rolls.

Answer. There is no objection to furnishing to the Committee "all unclassified routine papers." (Such as Civil Service Form 57, records of promotion, efficiency ratings, letters of recommendation, etcetera,) based on Department of Army memo AGAM-PM-313.5, 10 August 1949; CSUSA, subject: Release of Personnel Records and Information dated 11 August 1948. Similarly, there appears to be no objection under the regulations to furnishing to the Committee the names of persons actually responsible for hiring the employees named by the Committee. The Committee may also be furnished the names of individuals personally having authority to discharge such employees, since it may be considered that such individuals are responsible for retaining the named employees. It should, however, be made as clear as possible to the Committee that the names of individuals responsible for the granting or withholding of loyalty or security clearances will not be made available to the Committee. This is in accordance with Presidential Directive of 13 March 1948 (contained in paragraph 55 of Army Regulations 380-10, changes to that directive.) Change 1 to AR 380-10, provides that without the consent of the Secretary, no information shall be supplied as to any specific intermediate steps, proceedings, transcripts of hearings, or actions taken in processing an individual in loyalty or security programs. There is no objection to making available the names of all members of an Agency Loyalty Board, but it is entirely improper to divulge the members who sat on particular cases.

I should like to reiterate that any information relative to any individuals that the Committee would be willing to make available to me or to other authorized Department of Army representatives will be appreciated and will be utilized in accordance with applicable regulations.

Very truly yours,

WENDELL JOHNSON,  
*Colonel, G.S., U.S. Army.*

[Whereupon, a luncheon recess was taken.]



## COMMUNIST INFILTRATION AMONG ARMY CIVILIAN WORKERS

[EDITOR'S NOTE.—After the executive session on September 8, 1953, Senator McCarthy told the press that the subcommittee had obtained the sworn admission of a former employee of the War Munitions Board that he had given secret information concerning production and types of tanks, planes, ammunition and arms to Frederick G. Blumenthal, an associate of the newspaper columnist Drew Pearson. On September 9, the *New York Times* reported: "Mr. McCarthy said he had not asked for prosecution of the witness because he appeared to have been caught . . . through wire-tapping and other devices and had given out the classified material to protect his superior officers from adverse comments in the Pearson column." Drew Pearson then issued a public statement in response: "At no time have I or any member of my staff engaged in blackmail, intimidation or threats in connection with a news story." Privately, Pearson believed that the Justice Department was preparing to take action against him. He had long been convinced that the government had tapped his phone, but assumed that since electronic eavesdropping was not admissible in court it would need to corroborate the charges against him. In his diary, Pearson noted: "I looked up the columns McCarthy has been yelling about and which have to do with MacArthur's poor intelligence during the Korean retreat in 1950; also the column on Tank Turrets which came from Don Murray, Jack Small's assistant in the Munitions Board. Frankly, I don't think a jury would take action on that." The Justice Department took no legal action against Pearson, and Donald Murray did not testify in public session.]

TUESDAY, SEPTEMBER 8, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953), at 10:05 a.m., in room 357, Senate Office Building, Senator Joseph R. McCarthy, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Everett McKinley Dirksen, Republican, Illinois.

Present also: Francis P. Carr, executive director; Roy M. Cohn, chief counsel; Donald A. Surine, assistant counsel; Ruth Young Watt, chief clerk; and Robert Jones, administrative assistant to Senator Potter.<sup>56</sup>

<sup>56</sup>Robert L. Jones was press secretary, not administrative assistant, to Senator Charles Potter, Republican of Michigan. A native of Maine, he previously had served on the staff of Senator Ralph Owen Brewster, Republican of Maine, and had worked on Brewster's unsuccessful campaign for renomination in 1952. Senator Potter delegated Jones to represent him at the subcommittee's meetings in New York, but later expressed surprise that Jones had joined in questioning witnesses. Senator Potter fired Jones on February 19, 1954, when he learned that his press secretary had issued an unauthorized statement approving of Senator McCarthy's charges against the army. Three days later, Jones announced his intention to challenge Senator Margaret Chase Smith in the Maine Republican primary. Insisting that he had resigned rather than been fired, Jones issued a statement asserting: "It is obvious that very powerful sources were determined that I should not oppose Mrs. Smith in the Maine Republican primaries. I am thoroughly convinced that this is the handiwork of devious Left Wing elements who are fearful of a bitter political showdown in Maine between the forces of Americanism and international Liberalism." In the June primary, Senator Smith beat Jones by a 5 to 1 margin. Afterwards, Smith

Continued

The CHAIRMAN. The hearing will be in order.

In this matter now in hearing before this subcommittee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MURRAY. I do.

**TESTIMONY OF H. DONALD MURRAY (ACCOMPANIED BY HIS ATTORNEY, BYRON N. SCOTT)**

The CHAIRMAN. Your counsel is Mr. Scott?

Mr. MURRAY. Byron N. Scott, 814 Wyatt Building.

The CHAIRMAN. Mr. Murray, in the course of our checking into the army security, we came across the story of your having given classified material to a news man or columnist here in Washington. I wonder if you would care to give us your version of that, if you will.

Mr. MURRAY. Well, I don't know that I understand your question.

The CHAIRMAN. You were a civilian employee of the army?

Mr. MURRAY. Well, no; I was a civilian employee of the Munitions Board of the office of the secretary of defense.

The CHAIRMAN. And you are no longer working with the office of the secretary of defense?

Mr. MURRAY. That is correct.

The CHAIRMAN. What was the occasion of your being separated?

Mr. MURRAY. I resigned, Senator, on the fourth day of August, last year.

The CHAIRMAN. Will you tell us the circumstances surrounding your resignation?

Mr. MURRAY. Well, there is not too much to tell you, sir, other than the fact that it appeared that the Munitions Board was going to be depleted. It appeared that there was little or no opportunity to stay on there and I began approximately ninety days, or 120 days before that, looking for something else to do and I served notice on my superior, Mr. Small, that I was contemplating resigning and on the fourth day of August I went in and submitted a letter of resignation.

The CHAIRMAN. Were you asked to resign?

Mr. MURRAY. No, sir; I was not asked to resign.

The CHAIRMAN. Were you aware of the fact that the army intelligence had to try to find out who was giving out classified material?

Mr. MURRAY. At that time I was not.

The CHAIRMAN. You learned subsequently that your phone had been tapped?

Mr. MURRAY. I learned by having received a letter of suspension after I resigned that they were unhappy about something; yes, sir.

The CHAIRMAN. At the time you resigned you didn't know anything about this?

Mr. MURRAY. No, sir.

The CHAIRMAN. Did you know also that they had microphones in your room and you gave out classified material?

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declined to support—and thereby effectively blocked—Senator McCarthy's effort to appoint Jones to the staff of the Government Operations Committee. See Charles E. Potter, *Days of Shame* (New York: Coward-McCann, 1965), 152-159; and Margaret Chase Smith, *Declaration of Conscience* (Garden City: Doubleday, 1972), 52-58.

Mr. MURRAY. I did not know that, sir.

The CHAIRMAN. I can inform you of that now, for your own protection when you answer the subsequent questions.

Did you on any occasion give classified material to anyone outside of the Defense Department?

Mr. MURRAY. Well, what do you mean, sir, when you say did I give it to people?

The CHAIRMAN. Well, I think the phrase is very simple. Did you give anyone classified material?

Mr. MURRAY. You mean did I hand them something classified?

The CHAIRMAN. Did you give it in any fashion? Did you call and give them information that was classified? Did you read classified material to them? Did you hand it to them?

In other words, did you transmit, using "give" in its broadest sense, classified material to anyone outside of the Defense Department?

Mr. MURRAY. Senator, I did discuss classified information.

The CHAIRMAN. With whom did you discuss it?

Mr. MURRAY. With Fred Blumenthal.

The CHAIRMAN. With Fred Blumenthal?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. On how many occasions did you discuss classified material with Mr. Blumenthal?

Mr. MURRAY. I couldn't possibly give you an intelligent answer to that, Senator. I would say several times.

The CHAIRMAN. It was a sizable number of times, was it?

Mr. MURRAY. No, it was not, sir.

The CHAIRMAN. Would you say more than one dozen times? I am referring now to your telephone conversations as well as any other conversations.

Mr. MURRAY. I daresay I discussed it more than a dozen times.

The CHAIRMAN. Yes. And the material was classified. What was the classification of the material? Did it range from restricted to top secret?

Mr. MURRAY. No, sir; it did not.

The CHAIRMAN. What was the classification?

Mr. MURRAY. It ranged from restricted to some secret.

The CHAIRMAN. And among other things you gave him production figures on our weapons?

Mr. MURRAY. I did not give him production figures to the best of my recollection. I did give him percentages.

The CHAIRMAN. By percentages, what do you mean?

Mr. MURRAY. How Mr. Blumenthal got the basic information that he brought into the office, I am not aware, but he did on several instances come in with figures indicating that this program or that program, be it tanks or rockets, or what not, was bogging down and that there was something indicated in the way of a news story that either he or this Mr. Pearson wanted to run and did I have any information on that. I think that at this point I should attempt to clarify to you how this all came about, if that would be permissible.

The CHAIRMAN. I wish you would, yes.

Mr. MURRAY. Early in 1952—strike that. It was in December of 1951, I volunteered to return to the Navy Department—no, I am wrong on that date, too. It was in June of 1951, I volunteered

shortly after Korea to return to the navy, and in December I was detached from the navy and was transferred to the office of the chairman of the Munitions Board as a civilian.

The following year, which would be early '52, there appeared in Mr. Pearson's column an article saying that Mr. Small's work had bogged down, that the White House was very unhappy with Mr. Small; that the programs that Mr. Small had supposedly agreed to put into being were not progressing as well; that the White House was very unhappy and that he was doomed to be a short timer.

At that point Mr. Small called me in the office one morning.

The CHAIRMAN. Will you identify Mr. Small?

Mr. MURRAY. Mr. John D. Small.

Senator DIRKSEN. John D. Small?

Mr. MURRAY. That is right, Senator.

Senator DIRKSEN. He was on the Security Council at the time?

Mr. MURRAY. No, he was chairman of the Munitions Board for whom I worked.

The CHAIRMAN. I think for the record we should describe briefly what the function of the Munitions Board was at that time.

Mr. MURRAY. Well, the Munitions Board was designated as a sort of claimant to represent the military services. I have heard Mr. Small describe it that way; that the Munitions Board which was made up of the chairman, the three under secretaries of the services acted more or less as a board in a corporation.

The CHAIRMAN. In any event, the Munitions Board had complete knowledge of the production of all of our weapons, atomic weapons, launches, that sort of thing.

Mr. MURRAY. I don't know if that is true, or not. If so, I have never seen those figures.

The CHAIRMAN. Is not that the type of material you discussed with Mr. Blumenthal?

Mr. MURRAY. No, that isn't the kind of information I discussed with Mr. Blumenthal.

The CHAIRMAN. Pardon me, I interrupted. You were going through a chronological story.

Mr. MURRAY. When the article appeared in the papers Mr. Small asked me to go to Mr. Pearson and tell him for heaven sakes to get off his neck instead of putting up trial balloons to get peoples' reaction.

I counseled with Mr. Small against going to Mr. Pearson and rather than do that I arranged to have one of Mr. Pearson's staff to come to see me, at which time I asked him to please stop publishing half truths.

The CHAIRMAN. Their man was Fred Blumenthal?

Mr. MURRAY. That man was Fred Blumenthal.

It was at that point that he came to see me at the Pentagon. It was with the complete approval of Mr. Small that he came over. It was with Mr. Small's complete knowledge that he continued to come over.

The CHAIRMAN. Did Mr. Small ever authorize you to give him secret material?

Mr. MURRAY. No, sir.

The CHAIRMAN. Will you describe the nature of the secret material given?

Mr. MURRAY. Well, Senator, it is almost impossible to go back two years and give specifics, but I will attempt it. I have no idea of trying to hold anything from you at all, sir, and I will try to attempt as best I can to describe the type of meetings that we had and the type of information that we discussed.

Mr. Blumenthal, I will say, if there is any defense for Mr. Blumenthal and his tactics, was not particularly interested in classified material. He was more interested as experience proved to me in stories having to do with people or in stories having to do with poor management, or in stories having to do with disagreements, areas of disagreements indicating that unification was not working; that the Munitions Board was at loggerheads with the Department of the Army, or with the Department of the Air Force or the like, and as the result of that came in many, many times with bits and pieces of information.

I have seen Mr. Blumenthal with information in his hand marked confidential and the arrangement I made with Mr. Blumenthal—

The CHAIRMAN. That is military information?

Mr. MURRAY. I expect you would call it military information, Senator, yes.

The CHAIRMAN. Pardon me; go ahead.

Mr. MURRAY. In discussing this with Mr. Small on one instance I took Mr. Blumenthal to Mr. Small's office when he had this confidential in his hand and showed it to Mr. Small. That had to do, as my memory serves me, with the fact that a man who had made faulty antiaircraft munitions on the West Coast and his name slips me at the moment, had been given a contract to produce aluminum at, I believe it was the Crazy Horse Dam. He had been given approval for a tremendous amount of electrical energy and that he had also been given the nod by, I believe it was General Services Administration to buy a great many rectifiers and go into the manufacture of virgin aluminum somewhere on the West Coast.

The CHAIRMAN. Do you know that man's name?

Mr. MURRAY. I do not know that man's name. I could get that and supply it to you.

The CHAIRMAN. If you would, we would appreciate that.

Mr. MURRAY. It was all aired in Mr. Pearson's column as I recall it.

But, anyhow, this information was contained in some records which Blumenthal had picked up somewhere and they were on official navy letterhead. The point that he was driving at was to try to write a story on why a man who had produced faulty antiaircraft ammunition would be given the contract for current war surplus material to go into the production of aluminum for the air force.

I think the aluminum which came from that was to go into components.

The CHAIRMAN. Let's get down to production figures. Did you ever read to him production figures, figures that were classified secret?

Mr. MURRAY. Yes. Some were not classified at all, sir, some were classified in various ranges. I couldn't recall specifically which.

The CHAIRMAN. I may say for your own protection that the army had your room miked, army intelligence.

Mr. MURRAY. Yes, sir.

The CHAIRMAN. There is a record of what you read to him.

Mr. MURRAY. Yes, sir.

The CHAIRMAN. I just wanted to tell you that for your own protection when you answer these questions. The question was, did you read to him production figures that were classified as secret?

Mr. MURRAY. Well, my recollection, sir, of reading to him, and I never permitted him to see anything, was this: He came in time after time after time with the fact that this program or that program had bogged down.

The CHAIRMAN. Let's get back to the question. The question is, did you read him production figures, figures that were classified as secret?

Mr. MURRAY. I am attempting to answer that now, sir. When he would say "I understand that such and such a program is down and this is very grave, or this looks like a good story," I would refer to a report and say, "Mr. Blumenthal, your figures are erroneous. Instead of being off 10 percent as you have indicated, it is up 50 percent."

But to read specific figures of X number of rifles or X number of guns, I have no recollection of reading anything like that.

The CHAIRMAN. I understand that Blumenthal would come into your office as you say time after time, and one day he would say the production of tanks was down, they were going to write a story and you would give the accurate production.

Another day he would say the production of some other weapon was down, and you would give the actual production.

Mr. MURRAY. No, sir; I would give percentages.

The CHAIRMAN. By percentages, what do you mean?

Mr. MURRAY. Well, if the program was down in the month of April as an example, and he would say "this looks like a good story, the production is down," I would look at the figures for May and would say "Your information is wrong. They are up fifteen percent."

The CHAIRMAN. So from his conferences with you, Blumenthal would have almost a perfect picture of how our production of ammunition and weapons was progressing, whether it was large or whether it was ahead of schedule.

Mr. MURRAY. I wouldn't agree with that, sir.

The CHAIRMAN. You would not agree with that. How many times would you say he was in your office?

Mr. MURRAY. He came in whenever he had a mind to.

The CHAIRMAN. About how many times? Is it not a fact that he was in there conservatively at least fifty times?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. And each time he would come you would give him some information on production?

Mr. MURRAY. No, sir.

The CHAIRMAN. Practically every time he came?

Mr. MURRAY. No, sir.

The CHAIRMAN. How many times? Would you say twenty, thirty, thirty-five times you gave him information on production?

Mr. MURRAY. I can't answer that, Senator. I don't recall.

The CHAIRMAN. Is it not a fact that that was one of the things discussed almost every time he came in? He would come in and say, "I understand production is down on a certain thing," and you would get the file and read to him and let him know roughly what the production was?

Mr. MURRAY. That didn't happen every time.

The CHAIRMAN. I say almost every time.

Mr. MURRAY. Not almost every time.

The CHAIRMAN. About how many times?

Mr. MURRAY. I really couldn't say.

The CHAIRMAN. Would you say it was more than twenty-five times?

Mr. MURRAY. I couldn't say. I don't have a reaction. I hate to say more than twenty-five or if it isn't more than twenty-five, or I hate to say anything over twenty-five.

The CHAIRMAN. In other words, as of today you could not say whether it was more than twenty-five times or less than twenty-five times, that you discussed with him the production of our weapons, the information that you discussed being classified?

Mr. MURRAY. I could not honestly answer that.

The CHAIRMAN. I see. Now, if a Communist agent had the information which Mr. Blumenthal had, would you say that would be a benefit to him?

Mr. MURRAY. Mr. Chairman, I can only say this in retrospect, that I question whether any information that I discussed, some of which I discussed accurately and some of which I discussed inaccurately with Mr. Blumenthal, would be of any considerable aid or comfort to a potential enemy.

The CHAIRMAN. Well, is not an enemy interested normally in the production and weapons, or, put it this way: wouldn't it have been of great benefit to us if we knew how Russia's tank production is progressing, if we knew their production of ammunition and rifles, that would be of great benefit to us, would it not?

Mr. MURRAY. I daresay that it would.

The CHAIRMAN. Likewise, if a Russian knew about our production, it would be of equal benefit to them, would it not?

Mr. MURRAY. Yes, if they did, but I never gave Mr. Blumenthal a complete rundown of our production by actual figures.

The CHAIRMAN. Yes. I wish you would be careful before you answer this: You say you never discussed with him production in number of units.

I may say for your benefit, Mr. Murray, and I do not want to be in a position of entrapping you or anything, we have the information that you did discuss with Mr. Blumenthal our production figures, not only in percentages, but also in number of units, production, that you discussed the production of ammunition, the production of bazookas, the production of tanks, the production of different types of airplanes.

That is the information we have, and I give you that before we ask you these questions.

Mr. MURRAY. Well, I don't see how you could have all that information, sir.

The CHAIRMAN. Did you ever discuss with him the production of bazookas?

Mr. MURRAY. I don't recall discussing bazookas with Mr. Blumenthal.

The CHAIRMAN. Can you say that you did not discuss the production of bazookas? Anti-tank bazookas?

Mr. MURRAY. I have no recollection, sir, of ever discussing it with him.

The CHAIRMAN. Did you not discuss with Mr. Blumenthal to refresh your recollection, the fact that the cost of a bazooka was some sixty-seven lower than the cost of the tank? Did you not discuss, number one, the drop over in our production of tanks and you gave him as the reason the fact that you can produce a tank-destroying bazooka for a infinitesimal fraction of the cost of a tank and therefore, we were switching to the production of bazookas and that we felt that Russia was making a great mistake in her massive production of tanks because we had the weapons that could destroy them and could turn them out at a tremendous rate of speed and gave him that as an excuse for the drop-off in the tank production?

Mr. MURRAY. I have no recollection of ever saying that to him.

The CHAIRMAN. Did you ever discuss with him the production of tanks?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. Did you tell him that our tank production was dropping off by plan?

Mr. MURRAY. No, sir. My recollection on that, sir, is that the only—well, I won't say only, because I think that would be a little silly to say that, but my recollection of the tank discussion with Mr. Blumenthal was this: He came in one day with a story that he said he had picked up from a news broadcast of, I believe, Douglas Edwards, in which it had been alleged that there were a great many tanks lying at the tank arsenal in Detroit and that the reason for the tanks laying there and not being shipped abroad was of some considerable interest to them and I told Mr. Blumenthal that that was not at all true; that those tanks were awaiting modification and that as soon as the modification had taken place they would be shipped.

The CHAIRMAN. Did you ever discuss the production of any of our weapons or the production of anything in terms of units rather than percentages?

Mr. MURRAY. I have said that there were X number of something or other produced in a month. I have no recollection of ever discussing any total program with him.

The CHAIRMAN. But you did occasionally tell him how many units were produced in a month, or over a certain period of time, did you not?

Mr. MURRAY. I may have. I may have. I have no specific recollection on it.

The CHAIRMAN. Did you discuss ammunition production with him?

Mr. MURRAY. Only in the very general terms, sir. I don't remember any specifics on ammunition.

The CHAIRMAN. You discussed production with him very freely, did you not? You and he got to be pretty good friends I assume, after he stopped in there fifty or sixty times.

Mr. MURRAY. I shouldn't say we were good friends, then or now.

The CHAIRMAN. You got to be friendly, did you not?

Mr. MURRAY. It would depend on what you call being friendly with a newspaper columnist.

The CHAIRMAN. He would tell you a story was thus or so, and you would discuss the figures freely with him, would you not?

Mr. MURRAY. I shouldn't say I discussed them freely with him.

Senator DIRKSEN. Was it the custom, Mr. Murray, of newspaper men, other than Mr. Blumenthal, to drop in and discuss these matters with you?

Mr. MURRAY. No, sir.

Senator DIRKSEN. Was he the only one?

Mr. MURRAY. Well, I think probably in the two years I was over there there was one or two people from either one of the magazines or from the *New York Times* that dropped in to see someone and I wound up interviewing them for whatever it was that they wanted to see or wanted to discuss.

Senator DIRKSEN. Did you discuss with those magazine people with equal freedom—

Mr. MURRAY. They were not interested in that sort of thing. They were looking for the type of stories that the *New York Times* will run or the *Fortune* magazine. I have forgotten, but I daresay the almost two years I was over there outside of Blumenthal, I never talked to a half a dozen people about anything in the press.

Senator DIRKSEN. But he is the only one with whom you had these discussions from time to time?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. What is the nature of the regulation under which you operate with respect to the disclosure of confidential or secret or top secret information? Is there a specific regulation covering the matter?

Mr. MURRAY. Yes, indeed there is.

Senator DIRKSEN. And is a copy of that available?

Mr. MURRAY. I daresay it is; yes, sir.

Senator DIRKSEN. I wonder if it could not be supplied for the record.

The CHAIRMAN. Yes, Mr. Carr will get a copy of that for the record.

But your testimony is that the only one to whom you gave specific information outside of authorized personnel was Blumenthal?

Mr. MURRAY. I would say that is accurate; yes, sir.

The CHAIRMAN. Did any of Pearson's other men ever accompany Blumenthal on any of his trips?

Mr. MURRAY. I beg your pardon?

Senator DIRKSEN. Did any of Pearson's other men—

Mr. MURRAY. Yes, once or twice Jack Anderson came over.

The CHAIRMAN. You also gave the same type of information to Jack Anderson, did you?

Mr. MURRAY. Jack didn't come to see me. He came with Mr. Blumenthal on something else.

The CHAIRMAN. When Anderson and Blumenthal were in the room with you, you did give classified information to Blumenthal so that Anderson could hear it; is that correct?

Mr. MURRAY. I couldn't say that that was so, no.

The CHAIRMAN. At the time, did Mr. Small know that you were giving classified information to Pearson's leg man, to your knowledge?

Mr. MURRAY. Well, that is a very difficult question to answer. Mr. Small at all times knew that I was talking with Mr. Pearson's people. Mr. Small knew that Mr. Pearson's people were bringing classified information or bits and pieces of classified information. I think that there were a number of other people in the Pentagon that were completely aware of the fact that Mr. Pearson's people were coming in.

The CHAIRMAN. When you found Pearson's man with classified material in his hand, material which you did not give him, did you ever report that to army intelligence or anyone else?

Mr. MURRAY. I reported it to Mr. Small. I took him in with it in his hand and let him see it.

The CHAIRMAN. What did Mr. Small say?

Mr. MURRAY. He seemed quite surprised that he had it.

The CHAIRMAN. Did Mr. Small indicate that he thought it was improper for him to have it?

Mr. MURRAY. He did, and so did I.

The CHAIRMAN. Now, when you would give Pearson's man the production figures, et cetera, in units or as you say percentage wise, did you watch his column to see whether he was using that in his column?

Mr. MURRAY. Well, I naturally read his column frequently. I recall seeing nothing in his column that I had ever discussed with him except the tank story.

The CHAIRMAN. Did you think it was rather unusual that a man would come into your office and give you a phony story about production figures in order to get accurate figures and then not use it in his column? Did it ever occur to you that the information might be going some place where it could do this country grave damage? Did that occur to you?

Mr. MURRAY. No, sir; it did not.

The CHAIRMAN. Did you know that Pearson had two Communists on his payroll, one Andrew Cardiello, who was disclosed as being a Communist by an undercover FBI agent, and that Pearson had been informed by the FBI that he was a Communist and that when the information was made public he said he was trying to reform him, and another man, David Carr, alias David Katz, who not only worked for him, but for the "Party Organizer," one of the top secret instruction sheets?

Did you know this when you were giving the information to Blumenthal?

Mr. MURRAY. No, sir.

The CHAIRMAN. If you knew it, would you have given the information?

Mr. MURRAY. I question very much if I would have.

The CHAIRMAN. I am curious to know why you gave this one news man secret information knowing what secret means, knowing the classification, that secret information in the hands of an enemy can cause us, according to classification to lose a battle, to lose a war, to lose a technical advantage, I am curious to know why you would so freely give out that information.

Mr. MURRAY. Senator, you keep bearing down on me on the point that I so freely gave it to him. I would like to reiterate one statement which I attempted to make clear. That was the fact that there were a great many stories which he brought in ostensibly to run in the newspaper which I felt would be of a tremendous detriment and in many instances I discussed it with Mr. Small to everything ranging from the blood bank program, I guess it is the Red Cross that were to direct the donations of blood, up to items having to do with helicopters.

The CHAIRMAN. Aircraft ammunition?

Mr. MURRAY. Not so much that.

The CHAIRMAN. You say not so much that?

Mr. MURRAY. He seemed more interested and apparently had more access to leads on stories having to do with tanks and mines.

The CHAIRMAN. In other words, your testimony is that he would come in and in effect threaten to run a story in regard to production of certain military items. You felt the story would do great damage, so in order to prevent his running the story you were in effect blackmailed into giving the correct information to him and you did that because you thought the lesser of two evils was to prevent his running a story which was completely untrue.

Mr. MURRAY. I wouldn't say there was any blackmail involved in it, but in essence what you say is true.

The CHAIRMAN. What would you call it if I come in to see you and say, "Now, Mr. Murray, I am going to run a story showing that ammunition production has dropped off tremendously, that in the month of April your production was down 30 percent. I am going to run that story."

In order to keep me from running it, you would give me accurate figures, but it would be my definition of blackmail. I do not know what your definition would be. Is that a roughly correct recitation of the situation?

Mr. MURRAY. Of course, they never phrased it exactly like that, Senator.

The CHAIRMAN. Senator Dirksen, the chairman here has informed me that we have a public hearing and we promised to start promptly at ten-thirty and if you don't mind we will ask Mr. Murray to return at two o'clock.

Senator DIRKSEN. Very well.

The CHAIRMAN. We are going to excuse you and call another witness. Will you come back at two o'clock?

Mr. MURRAY. This same room?

The CHAIRMAN. Yes, the same room.

Mr. MURRAY. Thank you very much.

The CHAIRMAN. Mr. Wilkerson, will you stand up and be sworn. In the matter now in hearing before the committee, do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WILKERSON. I do.

**TESTIMONY OF DOXEY WILKERSON (ACCOMPANIED BY HIS  
COUNSEL, DAVID REIN)**

Mr. COHN. Mr. Wilkerson, are you a member of the Communist party?

Mr. WILKERSON. I refuse to answer that question on the basis of my privilege under the Fifth Amendment.

Mr. COHN. Did you know a woman named Doris Walters?

Mr. WILKERSON. I think I have known such a person.

Mr. COHN. Is it not a fact that she was your secretary up at the *People's Voice*?

Mr. WILKERSON. This is dim, but I believe when I was at *People's Voice* as executive director, I believe that while I was executive editor of the *People's Voice* some five or six years ago, she served for five or six weeks as a temporary secretary while my regular secretary was absent.

Mr. COHN. She has testified that she worked for you for some five or six years.

Mr. WILKERSON. Not as my secretary.

Mr. COHN. Do you know Doris Walters?

Mr. WILKERSON. I think I know the lady you speak of.

Mr. COHN. I show this to you [document handed to witness].

Mr. WILKERSON. I know her. I should say I haven't seen this woman since about '48 or '49, about the time I left *People's Voice*.

Mr. COHN. Mr. Wilkerson, did you recruit Doris Walters into the Communist party?

Mr. WILKERSON. I refuse to answer that question on the basis of my privilege.

Mr. COHN. Did you hand her a membership card in the Communist party in 1947?

Mr. WILKERSON. I refuse to answer for the same reason.

Mr. COHN. Did you, Mr. Wilkerson, assign her to a pen at the Claudia Jones Leadership Schools of the Communist party?

Mr. WILKERSON. I refuse to answer the question for the same reason.

Mr. COHN. Did you collect Communist party dues from her?

Mr. WILKERSON. For the same reason, I refuse to answer the question.

Mr. COHN. Did you assign her to become secretary to Mr. Denton Brooks of the *People's Voice*, and ask her to spy on Mr. Brooks and report to you, to Marvel Cooke, and to Madeline Lawrence, information which would be of value to the Communist party?

Mr. WILKERSON. I refuse to answer the question for the same reasons.

Mr. COHN. Do you know Marvel Cooke?

Mr. WILKERSON. Yes.

Mr. COHN. Is Marvel Cooke a member of the Communist party?

Mr. WILKERSON. That question I refuse to answer for the same reason.

Mr. COHN. Mr. Wilkerson, did Doris Walter ever discuss with you and in your presence at a meeting of the Communist party work she was doing for the United States Navy?

Mr. WILKERSON. She has never discussed with me any work she has done with the navy at any time.

Mr. COHN. Has she ever discussed any work she has done with any government agency?

Mr. WILKERSON. She has not.

Mr. COHN. If she testified she had, she is not telling the truth?

Mr. WILKERSON. That is right.

Mr. COHN. Your testimony is that at the time you knew her while working at *People's Voice* she never discussed any work she was doing for the United States government?

Mr. WILKERSON. That is right.

Mr. COHN. You are positive about that?

Mr. WILKERSON. I am positive about that. I never knew she had a job for the United States government.

The CHAIRMAN. Mr. Counsel, we want you and your client to go to room 318.

[Whereupon, at 10:45, the hearing was recessed, to reconvene at 2:00 p.m. in the same room.]

#### AFTER RECESS

3:00 p.m.

#### TESTIMONY OF H. DONALD MURRAY (RESUMED)

The CHAIRMAN. We are sorry, Mr. Murray, to bring you back again this afternoon, but we had a public hearing this morning and could not finish.

Let me review your testimony, if I may, and do not hesitate to check me when I am wrong. Your testimony is that, number one, you are a civilian employee of the Munitions Board; your immediate superior was Mr. Small who was chairman of the board; that the only newsman to whom you gave classified material was Drew Pearson's man Blumenthal; that on a few occasions Mr. Jack Anderson was there, but apparently he was not there for the same purpose as Blumenthal but apparently was in the building to get other information; that you saw Mr. Blumenthal in your office in excess of fifty times; that you are unable to say at this time whether you gave him classified material on more or less than twenty-five occasions; that the classified material had to do with production; that the usual procedure was for him to come to the office and tell you about a story they were going to write; proposed to write; that you were disturbed by the story which you thought would be damaging to the military; it would for example, indicate a great fallout on the production of some military equipment; and, in order to get him to write a correct story or to refrain from writing a false story which would hurt the military, you would then go to the files and would give them classified material on production; that in most instances the information you gave him had to do with percentage increase or decrease in the production of various pieces of military equipment but that on some occasions you gave him the figures in number of units produced; and, so that the record is clear, I believe I informed you for your own protection that your phone had been tapped, that your room was miked, and that you were heard giving the secret production figures.

I am trying to review the entire picture so that we will know where we are going from here. You testified that you did watch his column that you found published practically none of the production figures to your knowledge except the production figures on tanks that you gave him.

Mr. MURRAY. I would like to correct that last one, sir, if I may. It was not a production figure. It was the number of tanks that were awaiting modification at the Detroit Tank Arsenal.

Senator DIRKSEN. Mr. Murray, I would like to ask this question at this point. I notice in the administrative order no. 8 which was issued on 20 September 1951 with respect to the disclosure of information, that section 10 of that administrative instruction has this statement, precisely Section 10.02: "Unauthorized disclosure of classified material. Any person on duty with the Office of Secretary of Defense who knowingly or with deliberate intent or through gross negligence permits or causes classified material to fall into the hands of unauthorized person or persons is subject to the penalties provided by the Espionage Act. Public or private discussion of classified material either with or in the presence of hearing of any person or persons not authorized to have knowledge thereof is strictly forbidden."

Is this instruction quite generally known, and are personnel familiar with it in the defense establishment?

Mr. MURRAY. I think that is correct sir.

Senator DIRKSEN. Would you say, without assuming for the moment that it was relevant or important information, that disclosure to a newsman would fall within the provisions of this section?

Mr. MURRAY. Senator—

Senator DIRKSEN. On the ground that he was not authorized to receive it?

Mr. MURRAY. I would like at this point to speak to that point, if I may.

Senator DIRKSEN. Yes.

Mr. MURRAY. I can't tell you where I got the idea, but it had always been a concept in my own mind the years I was in the navy and the years that I was over at the Munitions Board that there were times when you could discuss off the record with a newspaperman a story which that newspaperman brought into you, much in the same vein as this particular instance we are talking about, and I went along on the misguided idea that I was talking off the record to an accredited newspaperman who carried a secretary of defense press pass, and when this information came up I was horrified to find out that the only way that that could be done—and I had never been told that before—was that if you wanted to talk about a certain subject that you had to go somewhere and have it cleared first and then talk off the record to an accredited newspaperman.

Senator DIRKSEN. Will you not agree that this language is explicit and makes no provision for off the record discussion?

Mr. MURRAY. I agree, sir.

Senator DIRKSEN. The language I think is clear and unmistakable.

Mr. MURRAY. I agree, sir.

Senator DIRKSEN. By the way, how long were you in the navy?

Mr. MURRAY. In the first war, I was in the navy a little over three years.

Senator DIRKSEN. In the uniformed service?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. Overseas and here?

Mr. MURRAY. No, sir. Here in Washington principally.

Senator DIRKSEN. And you were with the Department of Defense, the army, for how long?

Mr. MURRAY. I was with the Munitions Board, sir, from December 26 of 1950 until the 4th of August 1952.

Senator DIRKSEN. 1950 to 1952?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. Roughly about two years?

Mr. MURRAY. It would have been two years the following December.

Senator DIRKSEN. And was John D. Small the chairman of the board all that time?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. Could you detect from Mr. Blumenthal's methods and techniques that this was a studied technique whereby he would come in with what purported to be classified or restricted or confidential information and then ask you about it and, by that device, lure you to correct it so that he would have correct figures and correct information on anything that related to Munitions Board activities?

Mr. MURRAY. Well, I hate to think I am a stupid person, but I did not detect that there was any such sort of flim-flamming going on on Blumenthal's part. There were times when he came in with information that was awfully damn accurate and which I corrected falsely rather than let him have the accurate figures.

Senator DIRKSEN. Did you see him personally over a period of time as well as at the office at the Pentagon?

Mr. MURRAY. Mr. Blumenthal came to my home once and I had lunch with him once at the Pentagon and one time at the Town and Country and in each instance there were other people present.

Senator DIRKSEN. Did you at any time have social contacts?

Mr. MURRAY. No, sir.

Senator DIRKSEN. With Mr. Pearson?

Mr. MURRAY. By social contacts, do you mean did he ever come to see me?

Senator DIRKSEN. Not necessarily, but did you go to parties together or luncheons or dinners?

Mr. MURRAY. No, sir. I have never been to any parties with either one of them and, to my knowledge, I have never broken bread with Mr. Pearson.

Senator DIRKSEN. Before you went into the navy were you identified with government before that time?

Mr. MURRAY. You mean before?

Senator DIRKSEN. Before your naval service?

Mr. MURRAY. Well, I went in the navy, sir, in 1942 and prior to that I had been in industry.

Senator DIRKSEN. You had been in industry?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. You are on duty with the navy here in the uniformed service, but in navy headquarters here in Washington?

Mr. MURRAY. That is right, part of the time, and part of the time, I worked for the under secretary in the Office of Emergency Plants Management which was a staff of people under the direction of Captain Clark who seized strikebound plants during the war and put them into operation.

Senator DIRKSEN. Who was the under secretary at that time?

Mr. MURRAY. Mr. Hensel.

Senator DIRKSEN. Struve Hensel?

Mr. MURRAY. That is right.

Senator DIRKSEN. It does seem just a little unusual, Mr. Murray, that of all the newsmen and columnists and commentators in Washington, and, as you know, we have many—

Mr. MURRAY. Yes, sir.

Senator DIRKSEN [Continuing]. That except for the times when a correspondent of the *New York Times* or some other paper like that, to do a special story, would come and see you, that Mr. Blumenthal was the one who came so frequently to your office for the discussions. Now, if others had come in like proportion and the equivalent number of times, it would be a little easy to understand, but to have just one individual come puts it in a little bit of a different light, I would say.

Mr. MURRAY. I can't help but agree to that. Excuse me sir.

[Witness confers with counsel.]

Senator DIRKSEN. Did you want to comment further on that?

Mr. MURRAY. Yes, I would like to comment on that. I would like to inject a couple of thoughts along this point: There were a great many times, Senator, when Mr. Blumenthal came in and asked me for information that I alleged to him I knew nothing of. I don't want to get it into the record that the gentlemen walked in and said, "Are beans beans?" I said, "Yes, Mr. Blumenthal, beans are beans." I want to emphasize that. Further than that, when I went aboard with Mr. Small, it was my information that the Public Information Office attached to the Munitions Board point blank refused to see Mr. Pearson and, when that was called to the chairman's attention, he felt that that was wrong.

He felt that this is an open office and we should not deny anyone who comes in here with clean hands and I was directed to see Mr. Pearson or his staff and see if I couldn't keep him off Mr. Small's back so he could proceed with the work at hand.

The CHAIRMAN. You said the Munitions Board said that Pearson should not be allowed into the office?

Mr. MURRAY. The Office of Public Information refused to see him or his staff.

The CHAIRMAN. At that time, were you notified that he was under investigation in connection with alleged violation of the espionage act?

Mr. MURRAY. No, sir.

The CHAIRMAN. Do you have any reason to know that?

Mr. MURRAY. No, sir.

The CHAIRMAN. Why did you think they said Pearson could not come in?

Mr. MURRAY. I talked to the public information man about it, and I can't recall his name at the moment, but he was afraid of him and said he would just rather not see him.

The CHAIRMAN. So you were put on notice that they were afraid of Pearson?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. But you continued to give the information to Blumenthal. How often did you personally see Pearson?

Mr. MURRAY. I would say twice or three times.

The CHAIRMAN. Now, in connection with the number of times that you have given classified figures on the production to Pearson's man, this forenoon you were unable to tell us whether it was more or less than five times. Would you say it is correct that on forty-seven different occasions you gave to Pearson's man classified information on the production of the weapons of war, including ammunition; forty-seven.

Mr. MURRAY. Well, if you have that record, sir, I don't see how I can deny it, but my recollection is that I did not do anything of the sort.

The CHAIRMAN. Well, how many times do you think?

Mr. MURRAY. Well, I tried to tell you this morning, sir, that I couldn't by the wildest stretch of the imagination pinpoint that.

The CHAIRMAN. Well, now, taking not a wild stretch of the imagination but just a conservative estimate, would you say that on forty-seven different occasions you gave Pearson's man information, classified information on the production of the weapons of war? In other words, do you consider forty-seven a reasonable figure?

Mr. MURRAY. I can't believe that that is accurate, sir.

The CHAIRMAN. What would your high estimate be?

Senator DIRKSEN. Would you excuse me?

The CHAIRMAN. Yes, Senator.

Senator DIRKSEN. Mr. Murray, in terms of months, how long was your service with the Munitions Board; twenty-four months?

Mr. MURRAY. No, it was from December. It would be nineteen months approximately.

Senator DIRKSEN. Well, now, that is roughly about seventy-six weeks?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. Could you recollect whether he came in every week or once every two weeks? That might help to anchor this.

Mr. MURRAY. From the time I established the contact at Mr. Small's instigation, I think Mr. Blumenthal tried to get in there on an average of once every week, but there are a great many weeks when I ducked him and didn't see him.

Senator DIRKSEN. Were there weeks when he came more than once a week?

The CHAIRMAN. For your protection, keep in mind that after a certain period of time that room was miked.

Mr. MURRAY. Yes, sir.

The CHAIRMAN. Is it not true that Pearson's man at times came in every day and actually saw you?

Mr. MURRAY. You mean every day, seven days a week?

The CHAIRMAN. Not necessarily seven days a week. You said he used to try to get in every week. Were there not periods of time when he came in every day down the line?

Mr. MURRAY. No. He might have come in but he didn't see me every day, no, sir.

The CHAIRMAN. Did he ever see you in a sequence of three days?

Mr. MURRAY. I don't recollect that he did.

The CHAIRMAN. Would you say that it is untrue that he saw you every day three days running?

Mr. MURRAY. I couldn't answer that. I don't know.

The CHAIRMAN. Do you know when your rooms were first miked?

Mr. MURRAY. I didn't know that they were miked at all.

The CHAIRMAN. Have you not heard that?

Mr. MURRAY. No, sir.

The CHAIRMAN. Were you not informed of that?

Mr. MURRAY. I was informed they had a lot of information.

The CHAIRMAN. Were you not informed that they had mikes in your room?

Mr. MURRAY. No one ever told me officially.

The CHAIRMAN. Were you ever informed either officially or unofficially that your rooms were miked?

Mr. MURRAY. When I got my letter of suspension it was intimated that that was done, but no one ever said, "I want you to know your room has been miked."

The CHAIRMAN. I am not speaking of anyone saying your room was miked. Did you ever have reason to believe that microphones had been placed in your room and the conversations recorded?

Mr. MURRAY. I didn't believe that was true.

The CHAIRMAN. You did not suspect it?

Mr. MURRAY. I suspected my phones were tapped but I didn't suspect that.

The CHAIRMAN. When I ask about forty-seven contacts, I am only asking you about the contacts after the rooms were miked. You say you cannot tell us whether it was forty-seven or not, but you think it was not forty-seven. Let us take the entire nineteen months. For the entire nineteen months, how many times would you say that Pearson's man was in your office?

Mr. MURRAY. Well, sir, the first two or three months he was never in my office and, after I established this contact, as I say, he tried to come in once a week. He had a regular beat in there.

The CHAIRMAN. Do you think he came on the average of once a week?

Mr. MURRAY. I think he probably did.

The CHAIRMAN. That would be for sixteen months?

Mr. MURRAY. Approximately, sir.

The CHAIRMAN. That would be between sixty and seventy times. Sixteen times four is sixty-four and there are more than four weeks in a month.

Mr. MURRAY. That is right.

The CHAIRMAN. Am I correct that the usual modus operandi was to come in and say, "I have got a story about production figures," and he would ask you to correct his story and give him the production figures?

Mr. MURRAY. It wasn't necessarily, Senator, production figures.

The CHAIRMAN. Let us stick to the times he talked about production figures.

Mr. MURRAY. I couldn't accurately, sir, and I am not trying to avoid you. I am trying to be as helpful as I can. I just can't answer that.

The CHAIRMAN. You say you do not think it was forty-seven times. Would it be forty times, do you think, that he talked about classified production figures?

Mr. MURRAY. I don't know how to answer it.

[Witness confers with counsel.]

Mr. MURRAY. It might have been, Senator. I didn't keep a record. I couldn't tell you and I certainly couldn't remember how many times I talked to a man about such and such.

The CHAIRMAN. Did it ever seem odd to you that here was a man who would come in and give you this consistently phony story? In order to get production figures, a man who worked for Pearson who had two Communists on his payroll? Did you ever wonder about it? Did you ever worry about it and say, "I shouldn't give this information out"?

Mr. MURRAY. I never knew he had two Communists on his payroll or I would have refused to see him.

The CHAIRMAN. Did you ever hear that he had any Communists on his payroll?

Mr. MURRAY. I never heard that when I was working there.

The CHAIRMAN. During the nineteen months that you worked for the Munitions Board, did you have any outside income?

Mr. MURRAY. No, sir. May I correct that? My wife had a little outside income from an antique shop that she runs.

The CHAIRMAN. Did you ever receive anything of any value either cash or otherwise, either directly or indirectly from either Pearson or Blumenthal or anyone connected with Pearson's office?

Mr. MURRAY. No, sir.

The CHAIRMAN. Nothing of any value?

Mr. MURRAY. No, sir.

The CHAIRMAN. What were the occasions for your seeing Pearson personally?

Mr. MURRAY. He called and asked me to make an appointment for him to see Mr. Small.

The CHAIRMAN. So you talked to him over the phone?

Mr. MURRAY. Then he came to my office and I took him to the chairman's office.

The CHAIRMAN. About three times?

Mr. MURRAY. I saw him once in the lobby of the Mayflower Hotel and chatted briefly with him in the lobby, and I saw him once at the Pentagon and maybe I saw him once somewhere else.

The CHAIRMAN. Did you ever personally give him any classified material?

Mr. MURRAY. No, sir.

The CHAIRMAN. Do you realize that as of now you are in complete violation repeatedly of the Espionage Act?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. I do not know if you followed it or not, but in the Amerasia case there was the same general picture that you have here, where a man claimed to be a newsman and got secret government documents, as far as we know, passed them on to the enemy.

In the Remington case, you have the same picture, a claim that it was giving out secrets to a newsman.

In fact, would you not say, Mr. Cohn, that in about every case of espionage that we have had, we had the same picture of some individual claiming he was a legitimate newsman, getting secret material of great benefit to the enemy, not using it in his column except maybe an infinitesimal fraction so that it would appear he was a newsman?

Mr. COHN. That was William Remington's sole defense, that he thought this person who turned out to be a Communist spy was a newspaper woman. Elizabeth Bentley said she posed as a newspaper woman and came in asking for information, the identical situation here, as a matter of fact; and I recall that Bernard Redmont who was another member of this same spy ring worked with exactly the same set of facts.

The CHAIRMAN. The Amerasia case had the same set of facts?

Mr. COHN. I guess you can say that most of them were presented along those lines.

The CHAIRMAN. Let me ask you this, Mr. Murray: Now that you know that this man Pearson had two Communists working for him, one who has been positively identified as a Communist and who worked for Pearson for some four years, and David Carr, alias David Katz who has been identified under oath as a Communist, who wrote for the *Daily Worker*, who was a rewrite man for the party organizer, one of the top secret instruction sheets that they put out and who worked for Pearson or Pearson worked for him; there is a serious question about which way it was; and when you find Pearson always leading in the effort to destroy anyone who is hurting the Communist cause, do you not have the feeling now that you were just very, very badly duped over there?

Mr. MURRAY. Well, I mentioned a minute ago that I hated to admit I was stupid, but a lot of this has certainly been stupid on my part.

Senator DIRKSEN. What was your title?

Mr. MURRAY. Assistant to the chairman.

Senator DIRKSEN. Assistant to the chairman?

Mr. MURRAY. Yes, sir. You see—excuse me.

Senator DIRKSEN. What was your grade?

Mr. MURRAY. I was a 15.

Senator DIRKSEN. That is the equivalent of a GSA-15 today?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. What was your salary rating?

Mr. MURRAY. It was something less than \$11,000. I think it was around \$10,845 or something like that.

Senator DIRKSEN. Now, before you came to the navy, what industry were you in? You said you were in industry.

Mr. MURRAY. I was in industry before I came to the navy in '42. I worked for Mr. Powell Crosley of the Crosley Company in Cincinnati, and prior to that, I worked for the Carrier Engineering Company in Syracuse, and prior to that I worked for Mr. Insull in the public utility business for seven years.

Senator DIRKSEN. And so far as you know, and it would of course be a question of opinion, did Mr. Blumenthal have equal access to other offices in the Pentagon?

Mr. MURRAY. He must have had, sir, or else he could not have brought in the information he had on bits of paper or notes to talk to me about.

Senator DIRKSEN. So when he came in and represented to you that he had some classified information, you assumed that he got it from some other source and therefore must have had equal access to other sources in the Pentagon?

Mr. MURRAY. I would certainly believe that, yes, sir, and I told Mr. Small and I took Mr. Blumenthal by the hand and took him to the chairman's office and showed him some of the documents.

Senator DIRKSEN. Do you mean that you showed Mr. Small the documents that Mr. Blumenthal had?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. And those were classified?

Mr. MURRAY. They were classified documents.

Senator DIRKSEN. So he had to procure them from some other source if he did not get them from you?

Mr. MURRAY. He did not get them from me. You see, this is another point that I think I haven't made clear to you. I felt that I was doing the very best that I could of a terrifically bad situation. I felt that here was a man with an accredited card from the secretary of defense which gave him access to the Pentagon the same as I had with my pass. He could come in there in daytime. He could come in there at night, Saturdays or Sundays. He had complete freedom of the Pentagon in any entrance with this card. It was a card issued by the secretary of defense, and I felt that in talking with him off the record to keep half truths, slanted stories out of the press, and protect my boss and protect the Department of Defense, I was doing a job not only for the Department of Defense but the country at large to keep those stories out of the press. When you go to work for a man and he says, "Make a contact and keep this guy off my back," I don't know that you have too much choice. I went to Mr. Small months before this was over and I asked to be transferred, asked to be given another job, asked that a statement be issued that I not have access to any information.

Senator DIRKSEN. You would agree, of course, that it is a terrible thing if the defense structure of the country can be carried on only by cultivating the good will of the people engaged in the public relations business of one kind or another?

Mr. MURRAY. I would be the first to say so.

Senator DIRKSEN. And the necessity for keeping them in good grace in order to have this work go on is a terrible situation. Would you not agree?

Mr. MURRAY. I would certainly agree to that.

Senator DIRKSEN. What kind of work are you in now?

Mr. MURRAY. I represent the Sterling Diamond Tool Company in Detroit and I sell industrial diamond tools.

The CHAIRMAN. I am curious, and you need not answer this if you do not care to answer. I understand that your lawyer was supposed to be a Mr. Bursten from Milwaukee. Have you been doing business with him?

Mr. MURRAY. My lawyer, sir, is not Mr. Bursten. He is an acquaintance of mine.

The CHAIRMAN. Have you done business with Bursten?

Mr. MURRAY. I have talked to Leonard when Mr. Bursten was down here attempting to put the Wisconsin defense pool in business. One of the men in our company is the eastern representative for the Wisconsin pool and, as such, I met Mr. Bursten socially and he was in the office a good many times.

The CHAIRMAN. Now, when Pearson's man came in and showed you papers marked confidential, as you said this morning, on a

navy letterhead, did you say to him, "Fred, where did you get that confidential paper?"

Mr. MURRAY. Yes, indeed, I did. I tried in a great many instances to find where he got it, and I never could find out.

The CHAIRMAN. When you found that he was getting confidential material from other departments, I do not understand why you did not say, "You will get no more secret information from me." Did that not raise a red flag? Did you not say, "Here is a man collecting secrets on our production, going from one department to the other and getting a bit here and a bit there?" Did you not think that if he were a Communist that that is exactly what he would do?

Mr. MURRAY. Well, I felt, sir, that when I had taken him by the hand with the material to the chairman of the board and disclosed that fact and there was nothing further said, that it seemed like a regrettable thing. Yet no one did anything about it and the people to whom I reported there knew about it.

The CHAIRMAN. Why did you not ever go to Small and say, "Mr. Small, I have been giving this man production figures. He is getting figures from other departments. Let us check on this man and see if he is a Communist agent." I may be asking you a difficult question to answer, but it would seem the logical thing for any man in your position to do. You are charged with the security of the nation to some extent. You find a fellow traveling around the building with confidential material. You find him blackmailing you, if I may use the phrase, to get that information. By blackmail, I am not referring to money blackmail but telling you, "Unless you give me other information, I am going to print a bad story about your boss." Did it not occur to you that this was the way an espionage agent would work?

Mr. MURRAY. Sir, I am not an espionage agent and not a Communist, and I brook no part of this particular Communist hiatus that is currently in discussion in the press and in your committees. I felt that Pearson as an individual was a citizen. I felt that he was an accredited member of the press and, when I saw Mr. Blumenthal's card and it had been endorsed by the secretary of defense and I had been instructed by my superior to make friends with him and keep him off his back, that I was doing my duty.

Senator DIRKSEN. Do you think that the issuance of press cards should be hedged by some better security than prevails at the present time?

Mr. MURRAY. I was amazed to find that Mr. Blumenthal had access to the Pentagon that he had and still has, I dare say.

The CHAIRMAN. If the issuance of a press card is the same as security clearance, that would mean that a Pravda correspondent has security clearance. They have a press card. The representatives of Pravda the representatives of the *Daily Worker*, the representatives, as far as I know, of every Communist paper have press cards.

Mr. MURRAY. Do they have a press card, sir, from the Department of Defense? This was a Department of Defense card with the man's picture and his fingerprints on it, and he could present that card to a guard at the door, Saturdays, Sundays, daylight or dark.

The CHAIRMAN. Just one other question. Number one, you gave him information on ammunition production, is that correct?

Mr. MURRAY. I believe that is correct.

The CHAIRMAN. Number two, you gave him figures on the production of tanks, airplanes, bazookas?

Mr. MURRAY. I don't recall anything on the bazooka, sir.

The CHAIRMAN. On tanks and airplanes, yes?

Mr. MURRAY. On tanks, the only recollection I have of anything on tanks was the modification story that I told you about the tanks that were held up at Detroit.

The CHAIRMAN. Well, you discussed the type of tanks, did you not, being produced, the weight of the tanks?

Mr. MURRAY. I don't recall ever discussing weights, no, sir.

The CHAIRMAN. Did you discuss the types of tanks being produced?

Mr. MURRAY. I think we mentioned that they were M-something or other.

The CHAIRMAN. Did you discuss the type of airplanes being produced?

Mr. MURRAY. You mean fighters as discriminated from bombers? Yes.

The CHAIRMAN. And the type of fighters?

Mr. MURRAY. The type of jet fighters?

The CHAIRMAN. Type and number.

Mr. MURRAY. Well, when he would come in with information having to do with jet engines, I think I told him on several occasions that the jet engine program was being cranked up and that production was on the increase. I do not recall ever telling him that we were producing so many jet planes or so many tanks on a total program, because I don't believe I had those figures available. I think the only thing that I had was a month to month review of production either upward or downward.

The CHAIRMAN. Actually you gave him all the information you had, did you not?

Mr. MURRAY. No, indeed I didn't give him all the information I had.

The CHAIRMAN. Well, you were giving the percentage increase in May over April, the percentage increase in the production of various types of jet planes?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. And tanks.

Senator DIRKSEN. Mr. Murray, when Mr. Blumenthal came how long would he stay with you? Would the discussion range over a period of an hour at a time?

Mr. MURRAY. Well, sometimes five or ten minutes, and sometimes forty-five minutes. I don't know that he was ever there an hour.

Senator DIRKSEN. Of course, in a long discussion there could be many disclosures that might be forgotten in the lapse of time as to just what was said.

Mr. MURRAY. I couldn't, as God is my judge, tell you of the things we talked about specifically, nor how many times. I don't believe any man is alive that could.

The CHAIRMAN. To refresh your recollection, did you ever meet him in the forenoon, spend several hours with him and go out to lunch with him?

Mr. MURRAY. At one time, he came over to the office and I think that was the time we left and went to the Mayflower Hotel.

The CHAIRMAN. And spent several hours in the office first?

Mr. MURRAY. I don't believe we spent several hours, sir.

The CHAIRMAN. How long would you say?

Mr. MURRAY. Well, he was there an hour or an hour and a half, I would be surprised.

The CHAIRMAN. Do you recall that you discussed with him the fact that our tank production was falling off, that we were cutting down tank production and increasing the production of bazookas capable of destroying the Russian tanks?

Mr. MURRAY. You mentioned that this morning, sir, and I have no recollection of the bazooka story at all.

The CHAIRMAN. Did you give him a figure of \$87 as production costs of a bazooka?

Mr. MURRAY. I don't think I ever had such a figure to give him. I doubt if I did.

The CHAIRMAN. You did have complete information as to how the defense production was going, whether we were being successful, whether we were stepping up the production of various items, whether we were dropping off, whether we were producing more ammunition or less, and the kinds of ammunition?

Mr. MURRAY. In some instances I had. It wasn't complete but I did have that information.

The CHAIRMAN. And you discussed with him the types of ammunition being produced?

Mr. MURRAY. I have no recollection of types of ammunition, sir.

The CHAIRMAN. Well, you discussed with him the question of whether the production of artillery shells was increasing?

Mr. MURRAY. The only recollection I have, sir, in discussing artillery shells with him was at the time that there was such a hiatus about the ammunition shortage in Korea.

The CHAIRMAN. Did it not ever hit you as being unusually extreme that a man would come in there on forty different occasions, each time trying to worm out of you information on production of the weapons of war? Did it not ever occur to you that that was not the normal function of a newspaperman to do that? Did you not ever get worried about that?

Mr. MURRAY. Certainly I got worried about it and I tried to get away from it. I tried to have my job changed.

The CHAIRMAN. When you got worried, why did you not say, "Mr. Blumenthal, you get no more secret information. I am violating the espionage act and you are violating the espionage act. You are guilty of a crime each time you come here and get this information"?

Mr. MURRAY. I was operating under this halo of all security in my mind, that I was discussing this with an accredited newspaperman off the record.

Mr. JONES. Mr. Murray, I certainly can appreciate that relationship between you and Mr. Blumenthal. I would like to pursue that, however, a bit further. Who was the chairman of the Munitions Board at the time you were there?

Mr. MURRAY. Mr. Small.

Mr. JONES. Did you ever speak to Mr. Small about the nature of your conversations with Blumenthal?

Mr. MURRAY. Well, I didn't go to Mr. Small and say, "Mr. Small, this morning I talked to Mr. Blumenthal about this or that or the other thing." I did not run into Mr. Small's office and brief him on everything that I had told.

Mr. JONES. I understand that. Now, after the period of, for instance, seventeen months, you evidently had seen some reports in the paper as to the type of material you were discussing with Blumenthal. Did it ever occur to you to be suspicious that this information may stem as a result of your conversation with Blumenthal?

Mr. MURRAY. But I didn't see anything that I discussed with him off the record in the paper, sir.

Mr. JONES. You saw nothing at all?

Mr. MURRAY. No, sir, with the exception of this one story of the tanks in Detroit awaiting modification.

Mr. JONES. Upon seeing that, did you talk to the chairman about that?

Mr. MURRAY. I did.

Mr. JONES. What did he say?

Mr. MURRAY. I don't recall what he did, but he wasn't excited.

Mr. JONES. When Blumenthal would say, paraphrasing your expression, "A bean is a bean," did you ever ask him to check his original source?

Mr. MURRAY. I don't know that I follow you, sir.

Mr. JONES. When he would bring production figures to you, did he ever ask you, "Are these correct to the best of your knowledge?" Did he ever use that approach to you?

Mr. MURRAY. No, that wasn't the approach at all. He would come in and say—I was trying to think if I could point it up. I think I can give you a case at hand. He came in one time and said, "I understand, and we are writing a story on the facts, that the production of opium and the amount of opium that is available to the armed services is so small that in the event of an atomic attack or in the event of all-out war there would not be sufficient opium to be put into morphine or changed into morphine so that the armed services could be adequately taken care of as well as the civilian population." When he would come in with a story like that, which I will use as an example, I knew nothing about opium. I knew nothing about the production of morphine from opium, but we did have technicians on the staff that I would go to and say, "What is the story on the opium situation?" And they told me the story and I, in turn, went back to Fred and said, "Fred, your story is cock-eyed. This is the story." And he ran the correct story.

The CHAIRMAN. May I interrupt there?

Bob, for your information, that is one of the most highly-classified items that we have, the production of opium, our source of supply.

Mr. MURRAY. It was not classified, sir, over in our shop.

The CHAIRMAN. The opium production was not?

Mr. MURRAY. No, sir.

The CHAIRMAN. And the source from which we got it?

Mr. MURRAY. Yes.

The CHAIRMAN. Are you sure?

Mr. MURRAY. I am reasonably sure.

The CHAIRMAN. We have had testimony before the committee that that was highly classified.

Pardon me, Bob, for interrupting.

Mr. MURRAY. May I tell a story as I got it? The story I got was that although opium does come from Iran and Iraq and Turkey, that the bulk of the opium that is used coming from those services or from those sources, in the event of war might be denied coming into this country, and so somehow or other, they got into the stockpile sufficient feed with two places in the United States where they could grow the opium flower and from which, with a year's inventory of opium, raw opium and the production in these two areas throughout the country—

The CHAIRMAN. May I ask you one question?

Pardon me, Bob.

Mr. JONES. That is all right.

The CHAIRMAN. Are you aware of the fact now that if this man were a Communist espionage agent that this would most likely be the way he would go about getting information from you and that these production figures could be of tremendous value to an enemy to piece together with information which they were receiving from other espionage agents? Do you realize that now?

Mr. MURRAY. Well, I realize the seriousness of this charge, sir. I am the first to admit that I realize that. I hesitate to say this, but I say it in humility. I say it sincerely: That I doubt the very damndest that any information that I gave to Mr. Pearson has given any aid or comfort to the Soviet conspiracy.

The CHAIRMAN. Do you think they are interested in that information?

Mr. MURRAY. I think they are interested in all information.

The CHAIRMAN. Would they be interested in our production figures?

Mr. MURRAY. Certainly.

The CHAIRMAN. Would they not be interested in knowing whether our production is increasing or decreasing, how many tanks we are producing? Is that not the typical sort of thing that an espionage agent would want?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. You were in charge of critical and strategic materials at that time?

Mr. MURRAY. I wasn't in charge of anything.

Senator DIRKSEN. I mean the Munitions Board. Did they not have a good deal to do as to say with our program for the development of strategic and critical materials and their procurement from outside sources.

Mr. MURRAY. No. My recollection of that, Senator, is that the Munitions Board arrived at a policy of what should be bought, if it was offshore procurement and not something that could be made in this country, and made the money available from their budget to the General Services Administration who acted as agents and bought through the emergency procurement program of the GSA.

Senator DIRKSEN. The point I was making, Mr. Murray, was this, and I am going on recollection from days when Mr. John D. Small

appeared before the efficiency subcommittee of the House Appropriations Committee of which I was a member; but it runs in my mind that the Munitions Board had to determine the quantities of different materials to be purchased, and generally set up the objectives and the size of the stockpile?

Mr. MURRAY. That is right, sir.

Senator DIRKSEN. The actual mechanics of procurement were handled by GSA?

Mr. MURRAY. That is correct.

Senator DIRKSEN. But the Munitions Board did lay out the objectives and the quantities and sources of supply and so forth?

Mr. MURRAY. I don't know that they had sources of supply but they did arrive at the point of objective and money.

Senator DIRKSEN. I thought they would determine for one thing in the case of mica whether it was to be bought from Brazil or whether it was to be purchased from India. The same thing would be true of bauxite or anything critical at the time. They had to have some knowledge of where it was going to be purchased and in what quantities. So that that information, too, was rather highly classified and that was in the Munitions Board shop?

Mr. MURRAY. It may have been, but it wasn't in my shop, sir. The only thing I ever had or the only thing I ever saw was the stockpile objective report and the status of the stockpile which is the same report which I believe we submitted to the Congress every six months, or maybe it was only once a year.

Senator DIRKSEN. That was classified, too, was it not?

Mr. MURRAY. Yes, sir.

Senator DIRKSEN. I recall Mr. Small's testimony that so much of it from time to time was off the record.

Mr. MURRAY. For security reasons.

Senator DIRKSEN. That is correct.

Mr. MURRAY. That is right.

Senator DIRKSEN. Because we had to be very careful about quantities and sources, and also we had to be careful about the amount of money that was involved so that from that it could be no inference as to how much or as to where we were going to acquire it and what our difficulties in that position would be.

Mr. JONES. Mr. Murray, I think this opium matter that you just illustrated was an example of the approach that he made to you. May I ask a broader question? May I ask what conversations, if any, with this reporter, did you, in turn, ever discuss with the chairman?

Mr. MURRAY. Well, I discussed all of those stories like this opium story or the story on blood plasma.

Mr. JONES. What was his reaction?

Mr. MURRAY. Well, I was of the firm impression that Mr. Small thought I had done a good job by correcting this.

The CHAIRMAN. One final question: There is no doubt in your mind but what Pearson's man knew this material he was getting was classified, is there? He knew he was getting secret material?

Mr. MURRAY. Yes, I told him several times, dozens of times, "Blumenthal, this is classified and you may not use it."

[Discussion off the record.]

**HONORABLE ROBERT T. STEVENS, SECRETARY OF THE ARMY**

Secretary STEVENS. I am secretary of the army, Mr. Murray, and the chairman has just asked me a question and I do not know what the rules and regulations are with respect to the files in the Department of Army. I would like this bit of information if you are willing to give it to me. Would you have objection to the file coming up?

Mr. MURRAY. Would I have any objection?

Secretary STEVENS. Yes.

Mr. MURRAY. I don't think there has been anything in the file that has not amply been discussed here?

Secretary STEVENS. If the file can properly be turned over to help stop some of this kind of thing, you would have no objection to that, as I understand it?

Mr. MURRAY. The only answer I can give you to that is: When I left the employ of the Munitions Board, I signed a statement saying that I would not reveal any classified information. I don't know whether I have involved myself with the Pentagon here this morning or not. As you know, when you leave, you say you will not disclose any information that you picked up during your tour of duty, and that statement is signed.

I would like to have you ask Mr. Hensel, the general counsel, whether I am in violation this afternoon.

Secretary STEVENS. I would make a strong recommendation to Mr. Hensel that you are not in violation.

The CHAIRMAN. I do not think that you have answered the secretary's question. The question is do you have any objection if the army decides to turn the files over to the committee?

Mr. MURRAY. No, sir.

The CHAIRMAN. You have no objection to that?

Mr. MURRAY. No, sir.

The CHAIRMAN. I want to thank you very much.

Senator DIRKSEN. Let me ask Mr. Murray if there is anything else you think this committee ought to know in its endeavors to get to the bottom of situations that would impair the security of the country? We have no axes to grind. I am not interested in any headlines. This is an off the record hearing. I think that every patriotic American citizen has a responsibility to do what he can for the security of his country at a time when there is so much hostility and bitterness in the world and when we are confronted with an ideological enemy that would like to take us down spout if they could.

I would like to ask if on that broad basis there is anything you think we ought to know? Certainly we would welcome any such statement on your part.

Mr. MURRAY. May I speak to that point off the record?

[Discussion off the record.]

The CHAIRMAN. The way I get the picture is this: This would constitute blackmail by the broad definition. I do not mean blackmail for money, but Mr. Blumenthal would come in on a number of occasions with either a threat to print material which would improperly embarrass your chairman of the board or place him in an unfair light, one in which he did not deserve to be placed, or a story which you thought might damage the security of the country, and that in

order to get him to refrain from publishing such a story you felt that you were duty-bound to give him information which normally you would not give out, information which was classified; and after he would get the information then the story would not be published but he would come back the next day or the day after or the next week with a different story concerning a different item with pretty much the same modus operandi each time?

Mr. MURRAY. Pretty much, sir.

The CHAIRMAN. Let me ask you this. I know that every man has in his past life, unless he is in politics so that his background has been fine-tooth-combed, some matters which he would rather not have made public. I am not asking for any details if he did, but did he ever threaten to write a story about anything about your personal life or your background if you did not give him information?

Mr. MURRAY. Nothing directly.

The CHAIRMAN. But was there that indirect threat at times?

Mr. MURRAY. There might have been if he found something, but there never was any direct threat.

The CHAIRMAN. How about the chairman, Mr. Small? Was there an indication that he was going to write a derogatory personal story about him?

Mr. MURRAY. Not that I know of, sir.

The CHAIRMAN. In view of the fact that only two of the senators are here and that Senator Mundt and Senator Potter are not here, I would like very much, if you do not object, to have you put on the record the material that was not on. This is an executive session and is not for public consumption.

Senator DIRKSEN. I think that Mr. Murray ought to be assured by the committee that this is an embalmed record so that you do not have to be afraid that this information will move out to any publication or anywhere beyond this room.

Mr. MURRAY. I would like to ask this question, sir. I would like to qualify it first by saying that I am extremely sincere in trying to help if I can, not so much in my own defense because I have darned little defense, but if there is currently any operation of a similar nature that I seemed to be victimized by and if by virtue of releasing information which I feel will be of interest to you it might tend to clam up on anybody else still over there operating, I would like to know whether the secretary knows of anything or if the senator knows whether discussing this even in executive session might tend to impinge on those activities?

The CHAIRMAN. Let me say for your information, number one, that, of course, the committee never makes any promises to a witness. We cannot do it in the first place. There are only two senators here. We try to accommodate a witness who is cooperative. As far as we knew, the operations of this same individual have not changed to any extent since he was attempting to blackmail you into giving him information, if that is the information you wanted. Let me say this for your information: The press who will come in after this executive session are always given a resume of what occurred. They are entitled to that. We will not use your name or give any information which will identify you in any way. The only way they will find out you were here is if you or your counsel tell

them you were here. The staff and members of the committee are bound to secrecy by the rules of executive session. The press will be told however that we had a witness here who was blackmailed into giving classified information to a leg man for a columnist. I want to impress upon you that your name will not be used. There will be no information given which will allow you to be identified. The only way your name will be used is if you yourself discuss it with the press.

Whether the evidence here would ever come to public notice or not, I cannot tell you, and Senator Dirksen cannot tell you. As of this moment, it would appear that it would not. However if there would be an espionage case brought against Blumenthal and I think there should be, and against his boss Pearson who sent him there, the combination of espionage and blackmail, the Justice Department would have access to this and in any subsequent trial they might or might not use it. I wanted you to know that we are not in a position to make you any promise that this would not be used publicly at any future time. Is that a fair statement?

Senator DIRKSEN. I think so, with this much assurance as two members of the committee can give: That we certainly will try to restrict, and to indicate our appreciation for the cooperative spirit in which you have approached this off the record hearing. Sometimes, of course, as in the case of a Department of Justice action, if they should ask for the file, I presume we would be in the position of having the committee consider the matter and determine whether it would have to be released; and even there it seems to me they would respect the file as used, for their, own information, whatever might be in the file, and then pursue it in their own way.

Over that, of course, we would have no control, but certainly it would not be for this committee to publicize it or put it on the front page or bring about any embarrassment for you.

[Discussion off the record.]

[Witness confers with counsel.]

Mr. MURRAY. Senator, sir, counsel tells me he doesn't think I made myself clear when I made this observation about something else that was going on. My concern was that if this got immediate publicity and if my name has to go in it, so be it. If it does and there are some other operations under the sheets going on over there and they can see that you had moved back and picked me up on this particular item, number one, you will find Pearson's staff shunning the Pentagon like the plague; and, number two, anyone else over there is going to take a vacation for a couple of months and you might be on the verge of a good story and not get it.

The CHAIRMAN. I have found the contrary to be true. Normally if you start to expose a man with a bad record as this Blumenthal apparently has, there will be other people who have been victimized who will volunteer information. Instead of doing damage, a great many people are waiting to see that someone is interested in the case and they will bring in their material and throw it on our desk.

[Discussion off the record.]

Mr. MURRAY. At one time Mr. Blumenthal came into my office and presented to me in such a way that I couldn't see it a letter

which had a signature of a general at Wright Patterson Field at Dayton. The information in the letter led me to believe that the general had told Blumenthal, and it was addressed specifically to him, that the Russians had a mine against which there was no defense as yet in the United Nations or United States; and he asked me if I knew anything about it. I did not know anything about it and he asked me if he could be permitted to use my telephone. I granted him the use of the telephone and he called someone apparently in the office of the chief of naval operations, and whatever information he asked for he apparently got because he took a series of notes on a yellow pad and stuck them in his pocket and thanked me for the use of the telephone and left.

I gathered from the information that he asked me that it was a very hush-hush project, as I am sure the development of a mine against which there was no defense would naturally fall, and I was particularly impressed with the fact that he could call someone in the chief of naval operations office and get that information.

The CHAIRMAN. I assume that as usual there will be a great mass of the members of the press outside the door. I do not think that they would recognize you at all so you just walk through them.

Mr. SCOTT. Mr. Chairman, is it the practice of this committee to allow revision of remarks? Can he have a copy of his testimony today?

The CHAIRMAN. The rule has been that we do not send copies of the office but he can come down here either alone or with his counsel to room 101 and make any corrections of stenographic errors and that sort of thing.

Mr. SCOTT. Thank you, sir.

Mr. MURRAY. Thank you, sir.

[Whereupon, at 4:15 p.m., the committee recessed, subject to call.]



## COMMUNIST INFILTRATION AMONG ARMY CIVILIAN WORKERS

[EDITOR'S NOTE.—Alexander Naimon and Esther Ferguson (1916–1997) did not testify in public session. John Lautner (1902–1977) testified publicly on September 18, 1953.]

WEDNESDAY, SEPTEMBER 9, 1953

U.S. SENATE,  
SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS  
OF THE COMMITTEE ON GOVERNMENT OPERATIONS,  
*Washington, DC.*

The subcommittee met (pursuant to Senate Resolution 40, agreed to January 30, 1953), at 10:30 a.m., in room 357, Senate Office Building, Senator Everett McKinley Dirksen, presiding.

Present: Senator Joseph R. McCarthy, Republican, Wisconsin; Senator Everett McKinley Dirksen, Republican, Illinois.

Present also: Francis P. Carr, executive director; Robert Jones, administrative assistant to Senator Potter; Richard O'Melia, general counsel, Committee on Government Operations; Donald A. Surine, assistant counsel; and Ruth Young Watt, chief clerk.

### TESTIMONY OF ALEXANDER NAIMON (ACCOMPANIED BY HIS COUNSEL, MURDAUGH S. MADDEN)

Senator DIRKSEN. Mr. Naimon, have you been sworn?

Mr. NAIMON. No.

Senator DIRKSEN. Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. NAIMON. I do.

Senator DIRKSEN. Mr. Naimon, would you give for the record your full name and your address?

Mr. NAIMON. Alexander Naimon.

Senator DIRKSEN. And you reside where?

Mr. NAIMON. 1432 Girard Street N.W., Washington, D.C.

Senator DIRKSEN. Have you always resided in Washington?

Mr. NAIMON. No. Do you want me to say when I came to Washington?

Senator DIRKSEN. Would you, please?

Mr. NAIMON. I came to Washington about April 1951.

Senator DIRKSEN. And you came to Washington from where?

Mr. NAIMON. From New York City.

Senator DIRKSEN. Is New York your native state?

Mr. NAIMON. New York is where my parents live.

Senator DIRKSEN. You were born where?

Mr. NAIMON. In New York City.

Senator DIRKSEN. And you are how old?

Mr. NAIMON. I am now twenty-seven.

Senator DIRKSEN. You are represented by counsel this morning?

Mr. NAIMON. I am.

Senator DIRKSEN. Would counsel identify himself?

Mr. MADDEN. My name is Murdaugh S. Madden, attorney in Washington, Offices, 1000 Hill Building.

Senator DIRKSEN. Now, Mr. Naimon, what is your present employment?

Mr. NAIMON. I am employed as a procurement attorney for the Office of the Surgeon General.

Senator DIRKSEN. Procurement attorney?

Mr. NAIMON. I am an attorney doing procurement work for the Office of the Surgeon General in the Department of the Army.

Senator DIRKSEN. How long have you been in that employment?

Mr. NAIMON. Since the end of April of this year.

Senator DIRKSEN. April 1953?

Mr. NAIMON. Yes.

Senator DIRKSEN. What was your employment immediately before that?

Mr. NAIMON. I was a price attorney for the Office of Price Stabilization until the agency began to be liquidated and I was "RIF'd."

Senator DIRKSEN. How long were you with the Office of Price Stabilization?

Mr. NAIMON. From May 1951—my last duty date was about March 18, 1953. I had some annual leave that carried about a week or two.

Senator DIRKSEN. Roughly, you were in the Office of Price Stabilization about two years?

Mr. NAIMON. Roughly that.

Senator DIRKSEN. And then you went with the Office of the Surgeon General?

Mr. NAIMON. That is correct.

Senator DIRKSEN. Are you a member of the Bar of New York State?

Mr. NAIMON. Yes.

Senator DIRKSEN. And also the Bar of the District of Columbia or not?

Mr. NAIMON. Yes, sir. I am a member of the District of Columbia Bar.

Senator DIRKSEN. What are your duties and functions as procurement attorney?

Mr. NAIMON. Principally, whenever the contracting officer who represents the government on our contracts, which are medical research contracts, which most of the medical research if not all medical research is assigned to various universities and nonprofit institutions throughout the country—contracts are usually assigned on the recommendation of the National Research Council, I understand, and then we have a Medical Research and Development Board which handles the technical phase of contracts; then for sort of the business details, the actual person who represents the government on contracts is the contracting officer. He has an assistant. When any more important business questions to the contract come up, such as one of the universities doesn't like a certain provi-

sion in the contract they want to know whether or not the armed service procurement and the army procurement procedures permit us to make amendments or commends us to make amendments. In other words, what is within army policy so they consult me and get my legal opinion.

Senator DIRKSEN. You interpret applicable regulations and pass upon questions of law that may arise in connection with these research contracts?

Mr. NAIMON. That is right.

Senator DIRKSEN. Were you employed in the government prior to your employment with the Office of Price Stabilization?

Mr. NAIMON. Not other than a sailor. You don't take that to mean government?

Senator DIRKSEN. No, not necessarily.

You did have military service?

Mr. NAIMON. I was in the navy from June 30, 1944 to July 5, 1946.

Senator DIRKSEN. Roughly about two years?

Mr. NAIMON. Two years and five days.

Senator DIRKSEN. What were your duties in the navy? Were you on a vessel abroad?

Mr. NAIMON. Well, I was on a vessel for my last three and a half months of my tour.

Senator DIRKSEN. Did you have combat service with the navy?

Mr. NAIMON. Well, certainly not combat in any literal sense. My recollection is that I was given overseas pay, although my vessel didn't go more than one hundred miles overseas.

Senator DIRKSEN. So you actually did not have actual overseas service as such even though under the regulations you got a certain number of miles from shore and you were entitled to overseas pay?

Mr. NAIMON. Yes, sir.

Senator DIRKSEN. What was your navy rating?

Mr. NAIMON. Electronics. Navy's technicians mate third class.

Mr. CARR. Mr. Naimon, the other day I mentioned to you it would certainly be to your advantage to tell the entire truth concerning matters we might question you on.

We have information that you were a member of the American Youth for Democracy and also a member of the Communist party.

Now, I would like you to tell the senators how you happened to go to American Youth for Democracy meetings prior to enlistment in the navy. I understand that you were in attendance at these meetings as early as 1944.

Mr. NAIMON. I'd like to make clear in the beginning that I was never a member of either organization.

Mr. CARR. To your knowledge?

Mr. NAIMON. Well, naturally everything I am now saying is to the best of my recollection but I was not a member of either organization.

The way that I happened to go to these meetings was that a bunch of the fellows had been told that there was some nice-looking girls at the neighborhood AYD club and why didn't we take a look at them?

Mr. CARR. How old were you?

Mr. NAIMON. At the time I had just turned eighteen. At the time I didn't have political interests. I knew nothing about the organization and I was never the joining type but I was beginning to get interested in girls and I thought someone—A few of us went to one of these meetings.

Mr. CARR. How many meetings did you go to at this period before you went into the navy?

Mr. NAIMON. My best estimate would be about fifteen meetings.

Mr. CARR. Who did you go to these meetings with?

Mr. NAIMON. Well, I don't know if there was a regular practice. I went to one or two meetings, no doubt, with some of my boy-friends.

Mr. CARR. Who were they?

Mr. NAIMON. Well, I recall one was Eddie Lavene and a second was Ted Ranhenzofer.

Mr. CARR. How do you spell that?

Mr. NAIMON. I don't know—R-a-n-h-e-n-z-o-f-e-r.

[Off record discussion.]

Mr. CARR. What went on? What type of meetings were they?

Mr. NAIMON. Well, at the time it seems my best recollection is that their stress was on having group activities for young people, getting young people interested in being a group and—

Mr. CARR. Being a group for what?

Mr. NAIMON. The only purpose that I can recollect now is that they worked with starting a second front, which at the time was not alien to my philosophy, and I think they had activities such as going around collecting clothes, which didn't seem harmful to me. I didn't join any of these activities. I'd like to make it clear that my interest in AYD was always limited to my interest in this particular girl.

Mr. CARR. Now, you haven't told us about this girl yet.

Mr. NAIMON. I don't know what I have said and what I haven't.

Mr. CARR. There was a girl that you meet at these meetings?

Mr. NAIMON. Well, at this first meeting that we went to, I think there was about three. That is all I recall at this time. There was a girl who was speaking and I thought rather ably and I always sort of admired people who could speak well in public since I get nervous, without regard to what she was saying, which I have no recollection of and also quite good-looking.

Mr. CARR. And subsequently you became friendly with this girl?

Mr. NAIMON. Yes.

Mr. CARR. Is this girl Laura Kerr?

Mr. NAIMON. Yes, it is.

I think the best way I could put it would be that I went to these meetings in the hope of seeing her.

At the first meeting it turned out, after it was over, one of the fellows on the way back, I don't recall which, said, "You know that girl?" and he described Laura, "is only fifteen" and I know at that point I experienced a certain amount of disappointment, since she was fifteen and I was eighteen and I did feel, well maybe she is too young for anything.

Mr. CARR. You subsequently learned she was an officer of this AYD group?

Mr. NAIMON. Yes. I came to a few more meetings in 1944 and my interest was always just in seeing her. Probably for the first few times, at any rate the first two or three, it would be I had no connection with her. I just sort of admired her.

Mr. CARR. Now, you start out by telling us that you went to those AYD meetings because you and some other boys in the neighborhood wanted to meet some girls who apparently attended these meetings and you had no political ideas, yet you say what they were doing was not alien to your philosophy. You must have had some philosophy at the time. The thing that is difficult to understand is why you continued to go back to these meetings once you determined they were a Communist type meeting.

Mr. NAIMON. Well, shall I make clear what my political philosophy is? At that time and up until 1948 when the Czechoslovakian coup occurred, my political philosophy—I always believed that we had the best system of democracy with the emphasis on individual liberties within a framework of majority rule. This was my view and I thought the best view there could be. I did think within that view it was not consistent to permit other countries their right of self-government so that if other countries decided upon having a different form of government they were entitled to their own so long as they did not transgress outside of the wrong boundaries and I didn't think at that time—the big enemy was Germany and Japan—I didn't think there was anything wrong since Russia and America were both interested in beating Germany and Japan; and I didn't see anything wrong in joining in that struggle; and if there were certain people who admired the Russian system I was just different than they but I didn't think I should hate them for it.

Mr. CARR. When did you learn that these meetings were Communist meetings? When did that thought occur to you? After attending how many?

Mr. NAIMON. I don't think I went to any in which I had the view they were Communist meetings.

Mr. CARR. When you came back from the navy during the period you were in the navy you became educated to what communism was? Is that correct?

Mr. NAIMON. No. I would say my real education came with the Czechoslovakian coup. That was the main education.

Mr. CARR. You mean in 1948?

Mr. NAIMON. 1948. I would say the main difference between my attendance before and after my navy experience was one of degree. In the beginning I went to the meetings so I could have a chance to see this girl. That was in 1944. After the war I was already seeing this girl. You might say we had a "golden relationship" so that after the war I went because she insisted upon that, insisted meaning it wasn't absolute insistence. She wanted me to go to those and I didn't want to go. I went to see her afterwards.

Mr. CARR. But you knew they were Communist meetings at that time?

Mr. NAIMON. No. The AYD, as I recall, always took the position it was a mixture of all youth elements. Their position was: We don't discriminate against Communists. It wasn't until after the Czechoslovakian coup and later that I came to understand any-

thing at all about how active Communists were in organizations, but to my knowledge AYD wasn't—

Senator DIRKSEN. Mr. Naimon, let's see if we can summarize.

Your interest in AYD was mainly, as you say, because of a young lady active in the operations of this group?

Mr. NAIMON. That is right.

Senator DIRKSEN. That continued on until you went into the navy.

Mr. NAIMON. That is right.

Senator DIRKSEN. You spent from 1944 to 1946 in the navy.

Mr. NAIMON. That is right.

Senator DIRKSEN. You returned from the navy and resumed your interest in AYD in large part because the young lady whom you were interested in was still active in the operations of AYD.

Mr. NAIMON. I wouldn't ever call it interest in AYD. I would call it interest in a girl who went to AYD activities in AYD and I went there under a theory that I was so attached to the girl—

Senator DIRKSEN. Did you know then subsequently that AYD had been cited by the attorney general? Did you ever learn that fact one way or another?

Mr. NAIMON. No, not until I'd say, the last few days.

Senator DIRKSEN. The last few days of what?

Normally, when the attorney general issues a list it is publicized in the papers and word gets around. When did you discover that AYD had been cited by the attorney general as a front organization?

Mr. NAIMON. I would say within the last three days.

Senator DIRKSEN. You mean the last three days as of now?

Mr. NAIMON. Yes.

Senator DIRKSEN. You mean you just discovered it now and it was really cited quite sometime ago?

Mr. NAIMON. Yes.

Senator DIRKSEN. Who brought that to your attention within the last three days?

Mr. NAIMON. I decided—I guess it must have come out by inference out of conversation with counsel.

Senator DIRKSEN. You didn't know it before?

Mr. NAIMON. No, although I always wondered in my mind whether it had been. That was a question.

Mr. CARR. As of what period—

The CHAIRMAN. The AYD, I believe, was cited the first of 1944 and then again cited in 1947. Did you hear that matter discussed in any of the meetings you attended?

Mr. NAIMON. No. To the best of my knowledge it was never discussed.

The CHAIRMAN. Didn't you ever discuss this matter with the young lady? If you and she were so close I would assume you and she would discuss this citation?

Mr. NAIMON. I had numerous political discussions with this young lady with a view to weaning her away from her radical ideas.

The CHAIRMAN. The question is: Didn't you ever discuss the fact the AYD was cited by the House committee and the attorney general?

Mr. NAIMON. No, I don't recall any such discussion. I am fairly certain it didn't take place.

The CHAIRMAN. Did you know AYD was a front for the Young Communist League?

Mr. NAIMON. I had heard that was the case.

The CHAIRMAN. Wasn't it just general knowledge that the Young Communist League just changed its name to the AYD and was actually just the Young Communist League with a different name?

Mr. NAIMON. At the time I would say I did not have evidence enough to say. I had heard that was the case but didn't know whether it was.

Senator DIRKSEN. The more important thing, Mr. Naimon, after you came out of the navy and you resumed an interest, which was primarily in the young lady and secondary in the organization or equal interest in both, did you participate in any Communist activities at any time, anywhere, of any kind?

Mr. NAIMON. No. However, if by activity you include attendance at an open meeting I could disclose to you the circumstances of one such.

Senator DIRKSEN. Then let's get at it in this way. First, I should ask you whether you are now or ever have been a member of the Communist party?

Mr. NAIMON. Absolutely not.

Senator DIRKSEN. You have not?

Mr. NAIMON. No.

Senator DIRKSEN. Did you ever take an interest in Communist activities by attending meetings, known Communist meetings?

Mr. NAIMON. No, I would like to explain what I mean by known Communist meetings.

Senator DIRKSEN. Give us that.

Mr. NAIMON. I had made it clear to my girlfriend, Laura Kerr, that I could never form a permanent attachment with her if she kept her radical ideas. She was young at the time and I always suspected that I could wean her away from her radical ideas. I figured there was still time.

Senator DIRKSEN. By radical ideas, do you mean she subscribed to the Communist philosophy?

Mr. NAIMON. I would say that she was at that time still young, but she did subscribe to that philosophy and gave every indication unless weaned away that she would turn into a Communist.

Senator DIRKSEN. When did you break up with her?

Mr. NAIMON. I was just about to say, my first break—It was only a sort of partial break came in the summer of 1947 and my first complete break came in the end of May or the beginning of June 1948, at which time—What it amounted to, I had previously made it clear to her that I couldn't become permanently attached to her if she became involved in communism, and actually, I'd say, the die was cast as far as a permanent attachment probably back in December 1947. At that time I really realized I never could marry her because by that time I think she had either joined the party or was thinking very seriously of it. In any event, she was completely loyal to the Communist party. I had over-judged my ability to wean her away.

Senator DIRKSEN. You say you broke over this particular subject?

Mr. NAIMON. I would say that this particular subject was the reason for the break. In other words, that was the reason that I could never marry her and I made that point clear, but she took the initiative as far as a break was concerned. That was when I came home from school in May 1948 and when I did she rebuffed me. She more or less saw the handwriting on the wall and took action and put me into a bad emotional state. Even though I had realized six months previously that I could never marry her, I still was put into a traumatic state during this period.

Senator DIRKSEN. This loyal to communism for the purpose of joining the party doesn't seem to tie in too well with the statement that you only learned three days ago that the AYD was a Communist front.

Mr. NAIMON. I am sorry. I don't see the inconsistency.

Senator DIRKSEN. When did you first have reason to believe this organization was an instrument of the Communist party?

Mr. NAIMON. I guess I would have to say that was in 1948. In other words, I'd say I first understood Russia's aggressive intentions at the time of the Czechoslovakian coup and with that too came my first learning that the Communist party in America strove to be an instrument of Russian policy.

Senator DIRKSEN. Did you do any speaking at any of these meetings yourself?

Mr. NAIMON. No, my interest was passive. I might have. If I spoke I am sure it was critically and I think all in terms of sides to her. I might add, although it might be parenthetically, I do recall at these meetings they had what looked to me like a silly practice. People would get up and they would criticize each other. They would say, "This is how you could correct yourself" and, of course, these were all open meetings and not everyone was involved. I was one of the people who wasn't involved.

The CHAIRMAN. Just to refresh your recollection, this practice of self-criticism is never indulged in open meetings. That was only closed meetings, then they did indulge in telling each other how they could be better Communists, criticizing each other. Is that correct?

Mr. NAIMON. I can only say I remember this incident distinctly. There was only one of such kind and it was not a Communist meeting because I certainly never went to a closed Communist meeting of the AYD functions.

Mr. CARR. Did you pay dues to this AYD?

Mr. NAIMON. No.

Mr. CARR. Did you ever get any indication of membership in writing?

Mr. NAIMON. No, not to the best of my knowledge.

Mr. CARR. How many meetings would you say you attended all together?

Mr. NAIMON. I have tried to reconstruct that as best I could.

Mr. CARR. Just roughly?

Mr. NAIMON. I'd say fifteen.

Mr. CARR. Do you think it is possible you attended as many as twenty-seven meetings?

Mr. NAIMON. I guess about the only thing I could say is that my best estimate would be fifteen.

Mr. CARR. Would you tell us positively you did not attend as many as twenty-seven?

Mr. NAIMON. I don't know if I can bring it down any more precise than that.

Senator DIRKSEN. Tell us about this meeting you were going to relate to us—the facts and circumstances of a Communist meeting you attended.

Mr. NAIMON. I don't know whether it was a Communist meeting. This is what happened. After this rupture in early 1948, that was May 1948—

Senator DIRKSEN. You are speaking about the break with the young lady?

Mr. NAIMON. Yes.

Senator DIRKSEN. Incidentally, have you seen her since that time?

Mr. NAIMON. I did see her subsequent to that but it was always—I had another make and break but it was always with the knowledge that it couldn't be a permanent relationship. It was mostly an ego blow which I suffered and had to recover.

Senator DIRKSEN. Do you know whether she is still active in this work?

Mr. NAIMON. I haven't seen her in, I'd say, two years, and before that I hadn't seen her in about another two years. I would assume she is from what I knew.

Senator DIRKSEN. Now, give us the details on this meeting.

Mr. NAIMON. After she broke with me in May 1948, I spent the summer sort of hoping to bump into her, without having the pride to call her and someone mentioned there was going to be a meeting in the Bronx. As a matter of fact, they didn't call it a meeting but a social and invited me to go along.

Senator DIRKSEN. That was in what year?

Mr. NAIMON. That was in 1948. I think it was in this period when all I wanted to do was to see her and I was hoping to see her there and that is the reason I went along. When we arrived there was a lecture speaking and the lecture was obviously a Commie. He got me so excited that when the questioning period started I rose and asked him whether in the event of war between Russia and America, he would fight for them or for us. The lecturer never answered the question. He put it off and everybody in the audience looked very hostile to me.

By the way, Laura was there and I knew whatever I wanted to do with the relationship—I felt compelled to ask because of the attitude of the speaker. I wasn't there at the beginning of the meeting exactly to know whether it was a Communist meeting or not. He sounded like a Communist speaker, so shortly after I asked that question it became clear he wasn't answering. The social part of the evening was to start after the lecture and I left.

Senator DIRKSEN. Were there any other meetings you attended of a similar nature?

Mr. NAIMON. No.

Senator DIRKSEN. That was the only one?

Mr. NAIMON. I am fairly certain that was the only one.

Mr. CARR. You said you never attended a Communist party meeting to your knowledge but if we had information that you had

attended a Communist party meeting, isn't it possible that one of these meetings you say you went to with the girl—I am not talking about AYD—something at someone's home could have been a Communist party meeting?

Mr. NAIMON. I didn't understand the question.

Mr. CARR. We are in the position of having information that you were a Communist party member. Now, you say you were not a Communist party member and never attended Communist party meetings to your knowledge.

Mr. NAIMON. With the exception of one mention, which may have been.

Mr. CARR. If we have information that you are a Communist party member, attended Communist party meetings, our information may very well be correct?

Mr. NAIMON. Well, about all I can say is naturally everything I say is to the best of my recollection. My best recollection is that I didn't go to any. If you have information, something might ring bell and if it did I'd naturally try to recall if that was the case. As best I can say is that was the only one I have recollection of.

The CHAIRMAN. It is a fact that you attended a great number of meetings in private homes, which you have reason to believe were Communist meetings. Is that correct?

Mr. NAIMON. No.

The CHAIRMAN. Didn't you attend meetings in various homes?

Mr. NAIMON. I didn't attend any meetings in any homes.

The CHAIRMAN. Gatherings?

Mr. NAIMON. I went to parties in various homes and these parties were, to the best of my knowledge, parties sponsored by AYD or people in AYD.

The CHAIRMAN. And at those parties you discussed Communists and their aims?

Mr. NAIMON. No, I never did.

The CHAIRMAN. Was that discussed? Did someone lead a discussion of the aims of the Communist party?

Mr. NAIMON. No. I only went to parties on the basis of it being a party.

The CHAIRMAN. Answer my question. At those parties sponsored by the AYD or members of the AYD, did anyone ever lead a discussion—

Mr. NAIMON. To the best of my recollection, I have not been to a party at which anyone lead a discussion.

The CHAIRMAN. And at these parties did anyone have any Communist literature that was either discussed or passed out?

Mr. NAIMON. To the best of my recollection there may well have been literature passed out. Of whose sponsorship, I don't know. I certainly wasn't interested in it and I didn't take any home.

The CHAIRMAN. How many meetings did you attend in homes?

Mr. NAIMON. I would like to make it clear these were not meetings.

The CHAIRMAN. Gatherings? How many parties?

Mr. NAIMON. How many? I would estimate from five to ten.

The CHAIRMAN. Did you attend any at which this young lady was not present?

Mr. NAIMON. I would say I attended none at which the lady was not present or which I was not seeking the lady.

Mr. JONES. What is that girl's name?

Mr. NAIMON. Laura Kerr.

Mr. JONES. You met her, you say, when she was fifteen years old?

Mr. NAIMON. That is right.

Mr. JONES. You say also that at that time she was imbued with radical ideas as far as government is concerned?

Mr. NAIMON. I don't know if I'd say radical insofar as government—

Mr. JONES. Didn't you say you felt her ideas were radical?

Mr. NAIMON. Radical Communist ideas.

Mr. JONES. Radical at fifteen?

Mr. NAIMON. They were radical in the sense she was imbued with a love of communism.

Mr. JONES. Did she ever explain to you how she developed those ideas?

Mr. NAIMON. Well, I tried to get at that. I assume it came from her sister.

Mr. JONES. What is her sister's name?

Mr. NAIMON. Her sister's name is Eileen Kerr.

Mr. JONES. And where do you suppose either she or her sister got these ideas—some school, Communist school or some other kind of school?

Mr. NAIMON. Well, I thought that was a sufficient search.

Mr. JONES. I am quite surprised at a girl of fifteen years old having radical ideas. I have a daughter that age and I can never imagine her, unless she was exposed to certain groups, certain—

Mr. NAIMON. She had an older sister who undoubtedly expressed these views.

Mr. JONES. Did this Laura ever introduce you to people who influenced Laura or her older sister to believe these ideas? Did she ever introduce you to Communists?

Mr. NAIMON. I think very likely her sister's boyfriend, who later married her.

Mr. JONES. What is his name?

Mr. NAIMON. Roy Stiefberg.

Mr. JONES. And he lived in New York, did he?

Mr. NAIMON. He lived in New York and I think went to school in California. He came back to New York and may have gone back to California. I am not sure where they are.

Mr. JONES. Did you ever meet any bonafide Communists through your association with Laura Kerr?

Mr. NAIMON. You mean persons who told me or I assumed they were?

Mr. JONES. Made known to you they were people who were members of the Communist party?

Mr. NAIMON. It seems to me the only way I could know that would be if they told me.

Mr. JONES. Did anyone ever tell you they were through your association with Laura Kerr?

Mr. NAIMON. I think—I don't know exactly whether it came through my association with her. She was certainly—I guess anyone I met would be through that association. I seem to recall—

Mr. JONES. What was that Communist's name?

Mr. NAIMON. Stanley Lavene.

Mr. JONES. Where is this Miss Kerr now?

Mr. NAIMON. I don't know. As I said I haven't seen her in about two years.

Mr. JONES. What was her address?

Mr. NAIMON. It was at 183rd Street and Webster Avenue in the Bronx.

Mr. JONES. Were her parents Communists?

Mr. NAIMON. Not to my knowledge. Her mother certainly knew nothing about politics whatsoever and she read the *Daily News*.

Mr. JONES. How about your brothers and sisters? Were they members of the AYD also?

Mr. NAIMON. I have only one sister. To the best of my knowledge she never was.

Mr. JONES. Did she attend AYD meetings?

Mr. NAIMON. I don't know. I imagine not, maybe.

Mr. JONES. Did she ever attend any with you?

Mr. NAIMON. No.

Mr. JONES. Are you sure of that?

Mr. NAIMON. Well, I'd better say then to the best of my recollection. I should make clear I was given this subpoena thirty-six hours ago and I was under the impression—tomorrow I had already gotten annual leave. Previously I had asked for annual leave over the holidays.

The CHAIRMAN. Annual leave has nothing to do with whether you attended Communist meetings. The question is, did you take your sister along to AYD meetings?

Mr. NAIMON. My answer is, I don't recall having done so.

Senator DIRKSEN. Mr. Naimon, I think another question—insofar as you know, was Laura Kerr or her sister ever employed by the federal government?

Mr. NAIMON. No. As far as I know, no.

Senator DIRKSEN. In your present capacity in the surgeon general's office do you handle restricted, confidential or classified matter?

Mr. NAIMON. I have an interim clearance for handling classified matter and it is interim clearance and I haven't yet done business with classified matter because our contracts are these medical research contracts.

Senator DIRKSEN. I think that is all, Mr. Naimon.

**TESTIMONY OF JOHN LAUTNER, CRIMINAL DIVISION,  
DEPARTMENT OF JUSTICE**

Senator DIRKSEN. Mr. Lautner, have you ever been sworn by this committee?

Mr. LAUTNER. Not yet.

Senator DIRKSEN. Would you hold up your hand? Do you solemnly swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LAUTNER. I do.

Senator DIRKSEN. Would you give to the reporter your full name and where you live and your present occupation?

Mr. LAUTNER. My full name is John Lautner and my mailing address is Department of Justice, Criminal Division, Room 2216. Forgive me Senator. I didn't give my home address because I have been threatened.

Senator DIRKSEN. I wouldn't expect you to.

You are presently identified with the federal government?

Mr. LAUTNER. That is correct.

Senator DIRKSEN. Would it be a proper question to ask you how long you have been?

Mr. LAUTNER. Since the end of September 1950.

Senator DIRKSEN. So that roughly you have been in the federal service for a period of about three years?

Mr. LAUTNER. That is correct.

Senator DIRKSEN. Where did you live before you came to Washington?

Mr. LAUTNER. New York.

Senator DIRKSEN. And prior to your advent to the federal service what was your line of endeavor?

Mr. LAUTNER. I was a functionary of the Communist party for approximately twenty years with short intervals out of activity, as for example when I was in the armed service and for a few months while I was waiting for assignment I worked with my dad, a general contractor, at that time in New Jersey.

Senator DIRKSEN. Did you procure a card in the Communist party?

Mr. LAUTNER. Yes.

Senator DIRKSEN. And you were a card carrying member as such?

Mr. LAUTNER. Yes since 1929, November or December, up to January 1950.

Senator DIRKSEN. So you held that card without interruption for roughly twenty-one years?

Mr. LAUTNER. Yes.

Senator DIRKSEN. You said you were a functionary of the Communist party. I wonder if you could precisely define what a functionary is, what duties and title.

Mr. LAUTNER. A functionary of the Communist party is a professional revolutionary. He has a specific assignment and personal responsibility to carry out that assignment from time to time. There are full time functionaries and part time functionaries. A full time functionary is a person who is a member of the Communist party who devotes all his time, energy and at the expense of personal problems or personal habits, his full time is devoted to the task assigned to him in the Communist party.

A part-time functionary is non-party paid functionary who has a minor assignment from time to time or an assignment in the lower organizations of the Communist party.

Senator DIRKSEN. What was your title as a functionary?

Mr. LAUTNER. Well, I had various functions and various titles in the course of twenty years. At the time I left I was a member of the National Review Commission of the Communist party, head of

the New York review commission, security officer for the party building at 35 East 12th Street, New York City.

Senator DIRKSEN. Your duties were roughly as a member—member of the National Review Commission, head of the New York State Review Commission?

Mr. LAUTNER. My function was to carry out investigations in the party against anti-Communist elements in the ranks, to watch vigilantly any manifestation of deviation in party ranks, antimarxist deviation, review disciplinary cases processed on lower levels of organization and to close up these cases that were heard and decisions were made in county, section or state organizations of the Communist party.

Senator DIRKSEN. You said “task assigned.” Who assigned that task to you?

Mr. LAUTNER. At various times various bodies of the party from the Central Committee of the party to state organization committees and at times the Nationality Group Commissions and the Nationality Language Bureaus of the party.

Senator DIRKSEN. Were the assignments in writing or oral?

Mr. LAUTNER. Oral. Invariably oral.

Senator DIRKSEN. Oral?

Mr. LAUTNER. That is correct.

Senator DIRKSEN. In your capacity as a functionary you learned many members of the party by their party names and real names?

Mr. LAUTNER. Party names and in some instances real names. In most instances by their party names.

Senator DIRKSEN. Were you in a position to have access to party records?

Mr. LAUTNER. Some records.

Senator DIRKSEN. Only at the level at which you were?

Mr. LAUTNER. Yes.

Senator DIRKSEN. On the basis of those records, would you have some estimate of party membership?

Mr. LAUTNER. In the United States at the time I left the Communist party in 1950, the estimate—there were approximately thirty thousand paper members in the New York organization and the New York organization had approximately half of the total membership of the Communist party, so on paper membership sixty thousand party members. Paper members I emphasize due to fluctuating and lagging behind in dues, in payment. There was never a correct and precise estimation of party membership.

Senator DIRKSEN. Are you a member of the party at the present time?

Mr. LAUTNER. Oh, no.

Senator DIRKSEN. When did you leave?

Mr. LAUTNER. The 17th of January 1950.

Senator DIRKSEN. That is roughly about the time you entered the federal service?

Mr. LAUTNER. No, there was a lapse of about ten months.

Mr. CARR. I think we should make the record straight on the federal service. Mr. Lautner is a consultant to the Department of Justice rather than in federal service.

Mr. LAUTNER. I have no Civil Service status.

Senator DIRKSEN. Doubtless there was some reason for your departure from the party. Would you amplify the record and tell us about it?

Mr. LAUTNER. Well, I was allegedly investigated and found to be a spy and agent in the ranks of the Communist party. I was called to a so-called hearing in Cleveland, Ohio, in a cellar where efforts were made on the part of certain party officers to make me admit the fact that I was an agent in the ranks of the Communist party. I was exposed to all sort of indignities, my life threatened, and when I got back to New York I read my expulsion from the Communist party in the *Daily Worker*.

Senator DIRKSEN. But were you a member at that time or not?

Mr. LAUTNER. I was a member of the Communist party at that time.

Senator DIRKSEN. That was before you became a consultant to the Department of Justice?

Mr. LAUTNER. While I was in the party up to the time of my expulsion I had no contact with any agency of the government.

Senator DIRKSEN. How did it come about that you were given what is really a trial to determine whether you were a deviationist or whether you were spying on the party?

Mr. LAUTNER. I was charged with protecting in the party FBI informants. I was charged with hearing unreliable elements in the party defense office during the first trial of the Communist leaders and on further investigation I was found to be an enemy agent of long standing in the ranks of the Communist party and these were the charges that were printed in the *Daily Worker*. However, at the New York trial of Communist leaders in the cross-examination it was quite evident to me and I also know to the bureau that my expulsion was directed from the other side, from behind the Iron Curtain. The reason for that was that during the war I was in the armed services. I served twenty-five months overseas, Africa and Italy, assigned to psychological warfare and in my station field unit, which was stationed in Bari, Italy, and I was in contact with Yugoslavian people there, re-equipped and re-armed by Allied Forces there and I was branded as a Tito agent in the ranks of the Communist party over here.

Mr. CARR. Isn't it true, at least to your knowledge as a student of the subject, that yours is the only expulsion from the American Communist party that has ever appeared in the publication—

Mr. LAUTNER. The official organ of the Communist Information Bureau. To my knowledge, I am the only one printed up in that publication and the Communist party members were warned to be more vigilant against international political police spies.

Mr. CARR. Isn't it also true that all of these charges made against you were false and you were entirely faithful member of the Communist party until the very day they took you to Cleveland—surreptitiously took you down to the cellar—isn't it true you were good member of the Communist party?

Mr. LAUTNER. That is correct. I would even go further. I even made application to appeal the case and to get a real hearing and never heard from them.

Mr. CARR. And it was only after a lengthy period of thinking this matter over that you eventually contacted the FBI on your own volition the first time?

Mr. LAUTNER. Yes.

Senator DIRKSEN. Did you receive pay for your services?

Mr. LAUTNER. I was always a paid functionary.

Senator DIRKSEN. What was your pay?

Mr. LAUTNER. Well, it varied. My highest pay was \$60.00 per week. In the last few years that was my regular pay minus deductions for social security, etc.

Senator DIRKSEN. Now, as a high level functionary, did you attend high level conferences and meetings?

Mr. LAUTNER. Yes, I attended practically all conventions since 1934. I attended National Committee meetings of the Communist party from 1936 up to 1942 and I attended various conferences organized by the party—Eastern Seaboard conferences, Midwestern conferences held in Pittsburgh and practically all the operating staff meetings of the Communist party on New York State level in the years 1947, 1948—review commission meetings and numerous other meetings.

Senator DIRKSEN. You had contact with the *Daily Worker* also and personnel employed there, staff—

Mr. LAUTNER. Were the staff that worked in the party headquarters at 35 East 12th Street.

Senator DIRKSEN. Now, Mr. Lautner, for immediate purposes, in the course of party activities did you ever encounter a woman then known as Doris Walters?

Mr. LAUTNER. I am positive I saw her at the party building. I asked to check whether she was an employee of anyone of the staff over there—*Daily Worker* Bookshop. Certainly I saw her in the party building.

Senator DIRKSEN. Will you look at the photograph handed to you and state whether or not you recognize her?

Mr. LAUTNER. I recognize her as one of the persons who came by the party building.

Senator DIRKSEN. You can give positive identification of Doris Walters?

Mr. LAUTNER. Senator, I was security officer for the party building from 1947 up until the time of my expulsion. It was my business to see who was in the building, who comes and who goes. For your information, it was a building that sometimes five hundred people went out of the building in one day. You just cannot remember every face of everybody but people that consistently come and go from there, I know I have seen her and she is one of those persons—at 35 East 12th Street, New York City.

Senator DIRKSEN. And you feel she came often enough for you to recognize and identify her—to know the face?

Mr. LAUTNER. To know the face.

Senator DIRKSEN. Would you know whether she is a member of the party?

Mr. LAUTNER. I wouldn't know.

Senator DIRKSEN. Would it be a fair assumption on the basis of her visits that she was a member or had business related to party activities?

Mr. LAUTNER. The correct assumption would be that those who came to that building, possibly 2 or 3 percent were not party members and didn't come more than once or twice. All others were members of the Communist party.

Senator DIRKSEN. In respect to the small percent, would it be fair to assume they were connected with party activities and might be designated as fellow travelers?

Mr. LAUTNER. Some of them. Some of them came to the *Daily Worker* to place ads—they wanted an ad in the *Daily Worker* or something in the business office, but as I said, about 98 percent of those who came to that building on party business, county level, state level, national level, either *Daily Worker* or Bookshop.

Senator DIRKSEN. Getting back for a moment to Mr. Lamb of Toledo, did you ever see Mr. Lamb?

Mr. LAUTNER. No, I just know the name.

Senator DIRKSEN. And is there anything in your mind to identify him and any interest he may have had in the party as far as you can tell?

Mr. LAUTNER. No, the only record I have is that the *Daily Worker* was very favorable to him in many instances; that he was held in high esteem in the party. Whether he was a party member or not, I don't know.

Senator DIRKSEN. You say he was held in high esteem by the party and he was considered a valuable person in Ohio?

Mr. LAUTNER. Yes.

Senator DIRKSEN. Did you notice in the papers the hearings relating to Edward Rothschild and his wife, Esther Rothschild?

Mr. LAUTNER. Whatever appeared in the press I read.

Senator DIRKSEN. Did you ever see her?

Mr. LAUTNER. I know her face. I don't know his face. I know her face.

Senator DIRKSEN. Would you care to make a comment on whether in your judgment she was or was not a member of the Communist party?

Mr. LAUTNER. As I say, I know her around functions. I know her face. I have seen her around. Where, I don't know. Years go by but I know the face. She was around. Whether she was in the party—I had a very secluded and very secret—my contact was with party people, party forces. I never went to progressive organizations or front organizations. When I recall a face, that person was somewhere around the party.

Senator DIRKSEN. You say you had no opportunity to know the activities of one Doris Walters?

Mr. LAUTNER. No.

Senator DIRKSEN. But you are positive she was a frequent visitor to the party building?

Mr. LAUTNER. That is correct.

Mr. JONES. Mr. Lautner, did you have occasion to read the report of the Internal Security Committee on the Communist conspiracy in the federal government?

Mr. LAUTNER. The report recently released? Yes, I read it.

Mr. JONES. You read it thoroughly?

Mr. LAUTNER. Yes.

Mr. JONES. Do you recall it was left that there are two Communist conspiracies still existing down here?

Mr. LAUTNER. Yes.

Mr. JONES. Have you any knowledge to the whereabouts or who those people are?

Mr. LAUTNER. I can only guess.

Mr. JONES. Where?

Mr. LAUTNER. My assumption is that the best short cut to that would be through the contacts at various embassies maintained with government personnel—Poland, Czechoslovakia, Hungary and Rumania. That is where your direction and attention should be pictured.

Mr. JONES. Would you have any reason to believe Mrs. Rothschild, whom you recognize, may be attached to one of these conspiracies still functioning?

Mr. JONES. It depends on a number of factors. To be an effective spy one must have a certain amount of background training and intelligence. When a person knows immediately the importance and evaluates things. Whether she is that caliber of woman. That is the type of people you would have to look for—clever, articulate, elegant, quick. These are the type of people you have to look for.

[Off record discussion.]

Mr. JONES. Mr. Lautner, I represent Senator Potter here. The senator was unable to get down today. He was very much interested in learning you were going to be a witness and asked me to ask you one question on the basis of a statement he made last week in Michigan. He has recommended that the Communist party be outlawed.

I wonder if you would carefully consider the question on the basis of your long experience and tell us what in your best judgment would be the most effective method our government could undertake to combat communism both above ground and underground, as briefly as you possibly can?

Mr. LAUTNER. Well, first let me make this categorical statement. By outlawing the Communist party you would make martyrs out of them. Also you would give them a weapon and this weapon would be used very effectively—that the strong, powerful United States is so afraid of a handful of Communists they have to outlaw them; that the United States follows the pattern of Europe where the parties were outlawed and similar arguments. They would make the most of it in developing of so-called “Revolutionary Romanticism.” The best and most effective way to combat communism here is constantly to show the inter-relationship between the policies, the technical approaches, issues that the Communist party raises over here of being identical with the aims and objectives and desires of the Soviet Union of Russia and that the Communist party is not a political party in the true sense of the word but members of the Communist party are agents, willingly or unwillingly, knowingly or unknowingly, in the effort of the Soviet Union and in the effort of the world-wide Communist party to bring about the downfall of capitalism. The best method as far as propaganda is to say what they are doing and why they are doing it.

Mr. JONES. Now, what organizational measures can be taken?

Mr. LAUTNER. I think the Sweet Act is a very powerful weapon heading it off. Every time a particular group raises its head, cut it off. Like we had cases in New York, Hawaii, Los Angeles, Seattle, Pittsburgh. Here too I think this process is extremely slow. Here is what happened: Up until now, out of a party membership of approximately twenty-five thousand, which party still has ten thousand capable Communist leaders—out of the ten thousand I would state, I don't know the exact figures, but around one hundred at the most have been indicted. That is not effective enough.

Mr. JONES. What would your suggestion be?

Mr. LAUTNER. To speed up this process and extend this process not only to Communist party staff functionaries but go after the Communist party functionary trade union movement; go after Communist party functionaries in the front organizations and go after the Communist party functionaries in the nationality group, field editors and functionaries operating in this field. Cut heads there. Cut the articulate Communist element off over there. I think more effective work could be done.

The CHAIRMAN. Here is a question I have been curious about. You would be in a position to know. How would you say the Communist party actually feels towards the committees of Congress, this committee, the Jenner committee—

Mr. LAUTNER. No comment. These are imposition committees and they violate all inalienable rights, civil liberties, etc.

Mr. JONES. Is there a liaison man who works with the party above ground and below ground?

Mr. LAUTNER. Definitely.

Mr. JONES. Who is that person?

Mr. LAUTNER. My assumption was Bob Thompson—one of the top men—maintained liaison with the open party.

Mr. CARR. Isn't it a fact Bob Thompson set up the framework for the underground?

Mr. LAUTNER. That is correct for the New York State organization. The person who really was responsible was William Z. Foster himself when he went to Europe in 1947.

Senator DIRKSEN. Now, Mr. Lautner, you had headquarters established in New York City. Did you or those associated with you make it a special point to contact people in the United Nations?

Mr. LAUTNER. The party liaison between the United Nations and the party was Joe Sterobin up to the time he left for a better climate. He is in France today and Betty Gannett and Sterobin were the ones who always discussed the United Nations. Steve Nelson, New York—

Mr. CARR. I believe we will ask you to identify these people.

Mr. LAUTNER. Well, Sterobin was the foreign editor of the *Daily Worker*. Betty Gannett was the assistant organizational director of the Communist party and Steve Nelson was a member of the National Board of the Communist party elected in 1945 up to 1947 when there was a reorganization and he was brought back from California to head the Nationality Group Commission of the Communist party. These are three people to my knowledge who were very much interested in maintaining contact with people at the United Nations, particularly with the various representatives who came to the United Nations from abroad. I know on two occasions

there were such representatives who came to the UN Assembly to meetings. They delivered lectures to high functionaries right at 35 East 12th Street. One was a French delegate who gave a lecture on the problem of the French Communist party and the French government policy in relation to Indo-China. The other representative was a delegate from India who gave a lecture on Communist party methods of propaganda in India because of the lack of literacy in India—what novel methods must India's party employ to put across the party line in the face of illiteracy in India.

Mr. CARR. Do you recall the name of the French or Indian delegate?

Mr. LAUTNER. No, Senator. If I go through the files of the *Daily Worker* I could find traces of it somewhere. Some formal recognition would be given them in the *Daily Worker*.

Mr. CARR. What particular effort did the Communist party make to infiltrate the United Nations with party personnel?

Mr. LAUTNER. Well, it was after 1945 a situation began to develop where the party was more security conscious and the fact that the party policies were more day by day—more in conflict with the policies of the government. It was quite clear the United Nations would be a good place for the party personnel to get into and particularly in the various technical staffs over there where they could get a large measure of protection from those members of the UN who came from behind the Iron Curtain. As a matter of fact, one of the UN speech stenographers by the name of Gene Wallick was part of the personal apparatus of security in 1948 and 1949 while he was a \$10,000 a year man in the UN.

Mr. CARR. Where did he work?

Mr. LAUTNER. For the secretariat.

Mr. JONES. Mr. Lautner, I assume certain priorities are assigned to the various tasks by the Communist party. Assuming that to be the case, what priority is the UN assignment given—top priority?

Mr. LAUTNER. I don't think so. The top priority in the party is and always was the building of the party and strengthening of party influence and gaining decisive influence in the basic industries of the countries, basic industry with raw material and heavy industries—steel, metal, etc., rubber and transportation and communications. In other words, the nerve center of our industrial productivity. Once the party gains decisive support of the basic industries they have subjective conditions for successful overthrow of the government.

Senator DIRKSEN. You mentioned there were no secrets in the United Nations—

Mr. LAUTNER. I am talking about top priority. The United Nations was established in this country in New York City and effective party work could be done by technical people by eavesdropping and listening to conversations and such intelligence would help. Those were the forces with which the party operated and contributed to the UN.

Senator DIRKSEN. There was definite party efforts to have its people in UN positions of all types, technical, stenographic, advisory and higher levels.

Mr. LAUTNER. There must have been efforts. If not, how come the top party speech stenographer, Gene Wallach, became top steno in the secretariat. He use to take party proceedings.

Senator DIRKSEN. Wallach is a member of the Communist party to your own knowledge?

Mr. LAUTNER. Yes, sir.

Mr. JONES. Were any efforts made by the Communist party, to your knowledge, to plant members with Congressional committees?

Mr. LAUTNER. To my knowledge, whether there was any effort to plant or not, this is a fact: In 1941, January, I came to a conference which was sponsored by the Dashiell Hammett-Helen O'Brien committee, the Constitutional Committee for Civil Liberties. I came to the conference from New York with Gurley Flynn. The chairman of that conference was Ed Smith. A number of other people I know at the conference like the Iserman Brothers, attorneys, Dr. Max Jergan—Elizabeth Gurley Flynn was one of the principal speakers. After the meeting we went up to a club called, I don't know, the Havana-Madrid or something like that. At that club I went up there and Gurley Flynn and myself sat down and within five or ten minutes or seven or eight, party people there who were on the La Follette committee investigating civil liberties and later Harry Bridges came too, hugged and kissed Gurley Flynn and looked around, sat down and had a nice little get together. This is a fact. Whether the party made any special effort, I have no personal knowledge.

Mr. JONES. You have no knowledge that there are some Communists employed on special congressional investigating committees today?

Mr. LAUTNER. No knowledge.

Mr. CARR. To get back to the UN, there was, as you say, a definite alertness to concentration on the UN. It is not the same type of concentration as in industry; however, it is one of the party's objectives to infiltrate the UN?

Mr. LAUTNER. It was a concentration on top level on a very discreet basis to select qualified personnel in various technical capacities in the UN. That is clear.

Mr. CARR. Mr. Lautner, I'd like to ask you about a man by the name of Joel Remes. Now, you have identified Eugene Wallach as having been a Communist party member and then going over to UN.

Do you know Joel Remes?

Mr. LAUTNER. Yes. Joel Remes is the brother of Andy Remes. They are both high functionaries of the Communist party. Andy Remes was district organizer of the Communist party in Wisconsin. He was district organizational director in the northwest section organization in New York City. The last time, to my knowledge, he was district organizer or district leader in Ohio. Joel Remes all along these years was associated, particularly since 1946 as one of the editorial workers of *Political Affairs*, co-worker of V. J. Jerome and Eugene Dennis, operating at 35 East 12th Street. He also gave a hand to George Siskind in the preparation of curriculum for national training schools of the Communist party.

Mr. CARR. Do you know him as being a Communist party member?

Mr. LAUTNER. He was a Communist party functionary.

Mr. CARR. Now, if he should turn up in the United Nations as an employee of the Polish delegation to the United Nations, what would your opinion of that be?

Mr. LAUTNER. My opinion would be that he was a person directed to go and work there because an official functionary of his caliber is not a free agent and he does and acts as he is told to do.

Mr. CARR. We have information that he was assigned to the Polish delegation. He is an American citizen, incidentally, assigned to the Polish delegation, being the contact between the party and the Polish delegation and the UN. What is your opinion?

Mr. LAUTNER. He is liaison between the party. The party is behind the Iron Curtain. He is capable of it.

Senator DIRKSEN. Could you come back tomorrow at 10:30?

Mr. LAUTNER. Yes.

#### TESTIMONY OF ESTHER L. FERGUSON

Senator DIRKSEN. Mrs. Ferguson, will you stand and be sworn.

Do you solemnly swear that the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. FERGUSON. I do.

Senator DIRKSEN. Mrs. Ferguson, I wonder if you will give your full name to the reporter.

Mrs. FERGUSON. Esther Leenov Ferguson.

Senator DIRKSEN. I assume Leenov is your maiden name.

Mrs. FERGUSON. Yes.

Senator DIRKSEN. And you reside where?

Mrs. FERGUSON. 1406 East-West Highway, Hyattsville, Maryland.

Senator DIRKSEN. Have you always lived in Washington?

Mrs. FERGUSON. Well, since I was about five.

Senator DIRKSEN. You were born where?

Mrs. FERGUSON. New York City.

Senator DIRKSEN. If it is not too personal a question, what is your present age?

Mrs. FERGUSON. Well, thirty-six.

Senator DIRKSEN. I asked only to identify you.

You have been in Washington about thirty years.

Mrs. FERGUSON. Yes.

Senator DIRKSEN. You are married?

Mrs. FERGUSON. Yes.

Senator DIRKSEN. Is there a family?

Mrs. FERGUSON. No, just the two of us.

Senator DIRKSEN. What about your parents, family, father, mother, any other brothers and sisters living in Washington?

Mrs. FERGUSON. My parents live in Washington. My brother teaches at the University of Chicago.

Senator DIRKSEN. In what capacity?

Mrs. FERGUSON. He is an instructor in Physics.

Senator DIRKSEN. Your father is employed here in Washington?

Mrs. FERGUSON. Yes.

Senator DIRKSEN. What does he do?

Mrs. FERGUSON. I don't know exactly what he does. Clerical work.

Senator DIRKSEN. What department?

Mrs. FERGUSON. War Department.

Senator DIRKSEN. Has he been there a long time?

Mrs. FERGUSON. Yes, quite a few years.

Senator DIRKSEN. You would say how long?

Mrs. FERGUSON. Oh, twelve approximately.

Senator DIRKSEN. Would you know what branch or agency of the defense establishment he works? You say he works for the army. What particular function?

Mrs. FERGUSON. Well, I really don't know what branch or anything.

Senator DIRKSEN. Located in the Pentagon. He is a civilian worker in the defense establishment?

Mrs. FERGUSON. Yes, sir, presumably.

Senator DIRKSEN. You wouldn't know what his particular duties are over there?

Mrs. FERGUSON. No.

Senator DIRKSEN. I mean in a general way. Does he work in the General Staff Office, Air Corps—

Mrs. FERGUSON. No, it is not Air Corps, I don't think.

Senator DIRKSEN. But he does work in one of the offices in the Pentagon?

Mrs. FERGUSON. He is not in the Pentagon.

Senator DIRKSEN. Where is he located?

Mrs. FERGUSON. I think it is somewhere around the reservoir.

Senator DIRKSEN. But it is an agency of the army where he works?

Mrs. FERGUSON. As far as I know.

Senator DIRKSEN. You say clerical work?

Mrs. FERGUSON. Yes.

Senator DIRKSEN. Is it of a particular nature you could describe? Administrative work? You say clerical and that is rather a broad term.

Mrs. FERGUSON. Well, I really don't know. Probably some kind of work with figures.

Senator DIRKSEN. Does he have a Civil Service rating? Would you know?

Mrs. FERGUSON. I believe he does.

Senator DIRKSEN. Would you know what that rating is?

Mrs. FERGUSON. No. I don't.

Senator DIRKSEN. Your father's name is Isadore Leenov?

Mrs. FERGUSON. Yes.

Senator DIRKSEN. Now then, you are presently employed with the federal government?

Mrs. FERGUSON. That is right.

Senator DIRKSEN. How long have you been?

Mrs. FERGUSON. Since 1940.

Senator DIRKSEN. That would be a period of thirteen years?

Mrs. FERGUSON. Yes.

Senator DIRKSEN. What is your present employment?

Mrs. FERGUSON. I work with the Civil Service Commission, correspondence analyst.

Senator DIRKSEN. What is the GSA rating?

Mrs. FERGUSON. Six.

Senator DIRKSEN. And have you been employed with the Civil Service Commission all thirteen years? No other employment?

Mrs. FERGUSON. No.

Senator DIRKSEN. No other employment?

Mrs. FERGUSON. No.

Senator DIRKSEN. I naturally assume, of course, Mrs. Ferguson, that you have outside activities of one kind or another, social, probably political, church activities, etc.

Mrs. FERGUSON. Well, only social.

Senator DIRKSEN. Do you have any political activities and I am using these words not in the protestant sense but overall sense. Any activities that has a bearing on the world, national governmental policy?

Mrs. FERGUSON. No, I don't.

Senator DIRKSEN. Are you familiar with an organization known as the International Workers Order?

Mrs. FERGUSON. Yes.

Senator DIRKSEN. Did you ever have identity with it?

Mrs. FERGUSON. I belonged to it a short time in the thirties.

Senator DIRKSEN. Early thirties?

Mrs. FERGUSON. Well, middle I would say.

Senator DIRKSEN. What is the nature of this organization?

Mrs. FERGUSON. Well, I primarily joined the organization for social reasons and as such wasn't interested in any other aspect of it. I joined in order to make friends. I was quite lonely at the time and I stayed trying to make friends in the organization. When I finally found out I didn't seem to make out, I dropped out. That was really my primary purpose in joining and the length of time I stayed.

Senator DIRKSEN. And you became familiar with the aims and objectives of the organization?

Mrs. FERGUSON. Well, not to any great extent. I have never been very much of a reader except sporadically and then not politically and I practically never read the newspaper except the funnies, ads.

Senator DIRKSEN. How long did you say you were a member of this organization?

Mrs. FERGUSON. I'd say about three years, three or four years possibly. It is hard to remember dates.

Senator DIRKSEN. Did you ever hold office in this organization?

Mrs. FERGUSON. Well, I was secretary once for a short time because I thought working with the people I would be able to become more friendly. As I say, that didn't seem to materialize and I eventually dropped the whole thing.

Senator DIRKSEN. When was that?

Mrs. FERGUSON. It would be impossible to say. Possibly around 1937 or 1938, maybe. It is just a wild guess.

Senator DIRKSEN. Could it have been as late as 1942?

Mrs. FERGUSON. Oh, no.

Senator DIRKSEN. You are positive about the date?

Mrs. FERGUSON. I am positive.

Senator DIRKSEN. What is required to become secretary?

Mrs. FERGUSON. As far as I remember one was just elected. There was a general election and whoever wanted to be elected.

Senator DIRKSEN. I assume someone put your name into nomination?

Mrs. FERGUSON. I imagine so.

Senator DIRKSEN. And either oral ballot or whatever ballot was used, you were elected?

Mrs. FERGUSON. Yes.

Senator DIRKSEN. What were your duties?

Mrs. FERGUSON. Take minutes, send out announcements of meetings.

Senator DIRKSEN. Did you keep a record of the membership in the organization?

Mrs. FERGUSON. Well, I don't recall that I did.

Senator DIRKSEN. Normally, it would be one of the secretary's duties to keep a record because that would be the only way she could correspond with the members.

Mrs. FERGUSON. Probably for that reason I did have.

Senator DIRKSEN. Could you say about how many members there were in this group?

Mrs. FERGUSON. Well, it never was very large and probably fluctuated considerably. There might be more at one time than another. It would be very hard to say. I would guess the figure at twenty. I don't know how close that would be.

Senator DIRKSEN. It had a purpose other than social congregation?

Mrs. FERGUSON. One other factor was the insurance angle. Since it was quite inexpensive insurance that was another reason.

Senator DIRKSEN. Did it have a constitution and by-laws?

Mrs. FERGUSON. I think we did but I never read them.

Senator DIRKSEN. Wouldn't that be one of the duties of the secretary as that states the aims and purpose of the organization?

Mrs. FERGUSON. Well, it would be. I have a lot of background material I never did get around to reading. That was just another—

Senator DIRKSEN. So you couldn't say what its aims and purposes were?

Mrs. FERGUSON. I couldn't.

Senator DIRKSEN. Are you still a member of this organization called the International Workers Order?

Mrs. FERGUSON. No. I haven't been for at least fourteen years.

Senator DIRKSEN. Did you let your membership lapse or did you notify them?

Mrs. FERGUSON. I dropped out, as I say, when I became disinterested and found the purpose of making friends didn't materialize. It would be impossible to say the last time. I know it has been a good thirteen or fourteen years ago.

Senator DIRKSEN. Did you out of curiosity, if for no other reason, keep in touch and find out what happened to the organization, this particular chapter?

Mrs. FERGUSON. No.

Senator DIRKSEN. Do you know whether they meet any more?

Mrs. FERGUSON. I haven't the vaguest conception.

Senator DIRKSEN. Did it ever come to your attention that the attorney general characterized this as a Communist front?

Mrs. FERGUSON. I believe I saw in the paper or heard someone mention that fact.

Senator DIRKSEN. You had no knowledge before the attorney general's announcement published in the paper.

Mrs. FERGUSON. No.

Senator DIRKSEN. What was discussed at these meetings?

Quite aside from the good time you had at the meeting, there must have been some discussion. I presume the president or the vice president or someone brought in a speaker who had something to say?

Mrs. FERGUSON. As far as I can recall—We would have discussions for increasing the membership, membership campaign, planning for social affairs and then the only other thing I can remember aside from that, I can remember one time we had a doctor coming to discuss syphilis. Aside from that, I can't remember any other type. It seems they were largely concerned with getting more people and then, of course, social gatherings are another way of increasing membership, attracting people to come.

Senator DIRKSEN. Is it necessary to retain active membership in order to carry that insurance?

Mrs. FERGUSON. I don't believe so.

Senator DIRKSEN. Do you still carry that insurance?

Mrs. FERGUSON. No. In other words, when I stopped going I stopped paying the dues and that automatically lapsed the insurance.

Senator DIRKSEN. Did they ever have a speaker discuss Marxism, the Communist line, the relationship between Soviet Russia and the United States?

Mrs. FERGUSON. No, not to my recollection.

Senator DIRKSEN. Mrs. Ferguson, have you ever been a member of the Communist party?

Mrs. FERGUSON. No, never. I have never even been to a meeting of any sort even remotely connected.

Senator DIRKSEN. If it had been a fact, would you have known at the time you were secretary of the group whether they had affiliation with the Communist movement?

Mrs. FERGUSON. Well, I don't feel I was taken into confidence particularly so I never suspected it.

Senator DIRKSEN. You never heard anything that might allude to it or anything?

Mrs. FERGUSON. I had no idea, whether, if or anything.

Senator DIRKSEN. If you care to answer and I would not prevail upon an answer, is any member of your family identified with the Communist party in any way?

Mrs. FERGUSON. Never has been.

Mr. CARR. What is your father's present address?

Mrs. FERGUSON. 1489 Newton Street N. W.

Mr. CARR. Which is your former address?

Mrs. FERGUSON. Yes, that is.

Mr. CARR. Your father's name is Isadore?

Mrs. FERGUSON. That is right.

Mr. CARR. Has your father ever been a member of the Communist party?

Mrs. FERGUSON. No.

Mr. CARR. To your knowledge?

Mrs. FERGUSON. That is right.

Mr. CARR. What is your father's approximate age?

Mrs. FERGUSON. He is in his late fifties.

Mr. CARR. What is your brother's name?

Mrs. FERGUSON. Daniel.

Mr. CARR. Was he also a member of the IWO?

Mrs. FERGUSON. No.

Mr. CARR. Was your father?

Mrs. FERGUSON. I am not sure.

Mr. CARR. How did you happen to join?

Mrs. FERGUSON. Well, I heard, someone probably mentioned it to me.

Mr. CARR. Nobody took you there?

Mrs. FERGUSON. I don't recall. It was so long ago. That is almost twenty years ago.

Mr. CARR. Were you ever a member of the Washington Committee for Democratic Action?

Mrs. FERGUSON. No.

Mr. CARR. Never have been a member?

Mrs. FERGUSON. No.

Mr. CARR. Did you ever receive literature from that organization?

Mrs. FERGUSON. I don't recall that I did and if I did it might have been maybe one item or so, but not as far as I recall on a steady basis.

Mr. CARR. Do you read the *Daily Worker*?

Mrs. FERGUSON. No.

Mr. CARR. Did you ever subscribe to the *Daily Worker*?

Mrs. FERGUSON. No.

Mr. CARR. Was the *Daily Worker* around your home before you married?

Mrs. FERGUSON. No.

Mr. CARR. What is your husband's name?

Mrs. FERGUSON. Allen Ferguson.

Mr. CARR. Where does he work?

Mrs. FERGUSON. Agriculture Department.

Mr. CARR. What type of job?

Mrs. FERGUSON. Attorney.

Senator DIRKSEN. Do you have access to the Civil Service files?

Mrs. FERGUSON. Which files are you referring to?

Senator DIRKSEN. Any files?

Mrs. FERGUSON. Well, I work on cases.

Senator DIRKSEN. And some of those files are stamped restricted, confidential, secret?

Mrs. FERGUSON. I am not in the investigations division.

Senator DIRKSEN. Do you know whether your father was ever accused of being a Communist?

Mrs. FERGUSON. No, I don't.

Senator DIRKSEN. Do you know whether or not he ever attended Communist meetings?

Mrs. FERGUSON. No, not to my knowledge.

Senator DIRKSEN. Were any of your close relatives ever employed by the Russian Embassy?

Mrs. FERGUSON. Well, my father was.

Senator DIRKSEN. For how long?

Mrs. FERGUSON. Approximately three or four years.

Senator DIRKSEN. Just before he went to work for the army?

Mrs. FERGUSON. Well, he was out of work for a while too. It wasn't immediately before.

Senator DIRKSEN. He worked at the Russian Embassy for four years?

Mrs. FERGUSON. Approximately.

Senator DIRKSEN. From 1935 to 1939?

Mrs. FERGUSON. That is reasonably close.

Senator DIRKSEN. What kind of work did he do?

Mrs. FERGUSON. He was practically doorman.

Senator DIRKSEN. Did you know he had to be a member of the party before getting a job?

Mrs. FERGUSON. I could almost say positively he didn't.

Senator DIRKSEN. Did he ever discuss communism or joining the party while he was working at the Russian Embassy?

Mrs. FERGUSON. No.

Senator DIRKSEN. You are married and, of course, living in your own home. How far does your father live from you?

Mrs. FERGUSON. Five or six miles.

Senator DIRKSEN. When have you last seen him?

Mrs. FERGUSON. About a month ago.

Senator DIRKSEN. Were there ever any meetings in your home, that is when you were living in your father's home, that you had reason to suspect were attended by members of the Communist party?

Mrs. FERGUSON. No.

Mr. CARR. Prior to your father's going with the Russian Embassy, did he work for Amtorg?

Mrs. FERGUSON. He worked for them a short time.

Senator DIRKSEN. In what capacity?

Mrs. FERGUSON. I really don't know what he did there but he was unemployed and couldn't find work elsewhere. He worked for them much less than a year.

Mr. CARR. After he left the Russian Embassy?

Mrs. FERGUSON. Yes.

Mr. CARR. In other words, he worked at Amtorg between the time he left the Russian Embassy and the time he got the job with the army?

Mrs. FERGUSON. Then he was dismissed.

Senator DIRKSEN. Mrs. Ferguson, this is an off-record hearing and no names will be disclosed. This will not be publicized. If information, for any reason, or names appear in the press, it will not be because of any leads or volition on the part of the committee.

I wanted you to be assured of this point.

Mrs. FERGUSON. If this is a hearing about me I wonder why my family was brought into it.

Senator DIRKSEN. Do you think it unfair when your father worked for the Russian Embassy, Amtorg, a vehicle of the Soviet

espionage? You may think it is unfair to ask these questions. We feel that is the only way we can get the information about you.

The CHAIRMAN. You have information or should have it. This committee is charged with protecting the security of this nation. When we discover that you, who are presently holding a government job, as an officer of an organization officially listed by the attorney general as a front for doing the work of the Communist party; when we have information that your father worked for the Russian Embassy, worked for Amtorg—labeled as an espionage organization, and is now working for the army, we have no choice, regardless of how pleasant or unpleasant it might be. We don't enjoy this. I'd like to be back in Wisconsin fishing. We don't enjoy this any more than you do.

Mrs. FERGUSON. I would like to add on that that there are times when people with families to support must have work, and as far as my father working at the Russian Embassy and Amtorg, he was not taken into any confidence. As I say, he was practically a doorman. Actually, they made it their business to see that he got in no contact or heard anything. He was simply working there. He only got about \$20.00 a week.

Senator DIRKSEN. I could say this. Obviously the committee could subpoena your father. I think it is in the interest of time and economy that we ask you those questions at the same time you are here.

I assure you no invidious conclusions, premature conclusions are drawn by the committee from any testimony. We try to be extremely circumspect. You need not leave the committee with the feeling that on the basis of what is adduced that we come to any conclusion. I think the committee tries to nail down completely any facts it finds to have been uttered in respect to any case.

That is all.

[Whereupon, the hearing adjourned at 1:00 p.m.]